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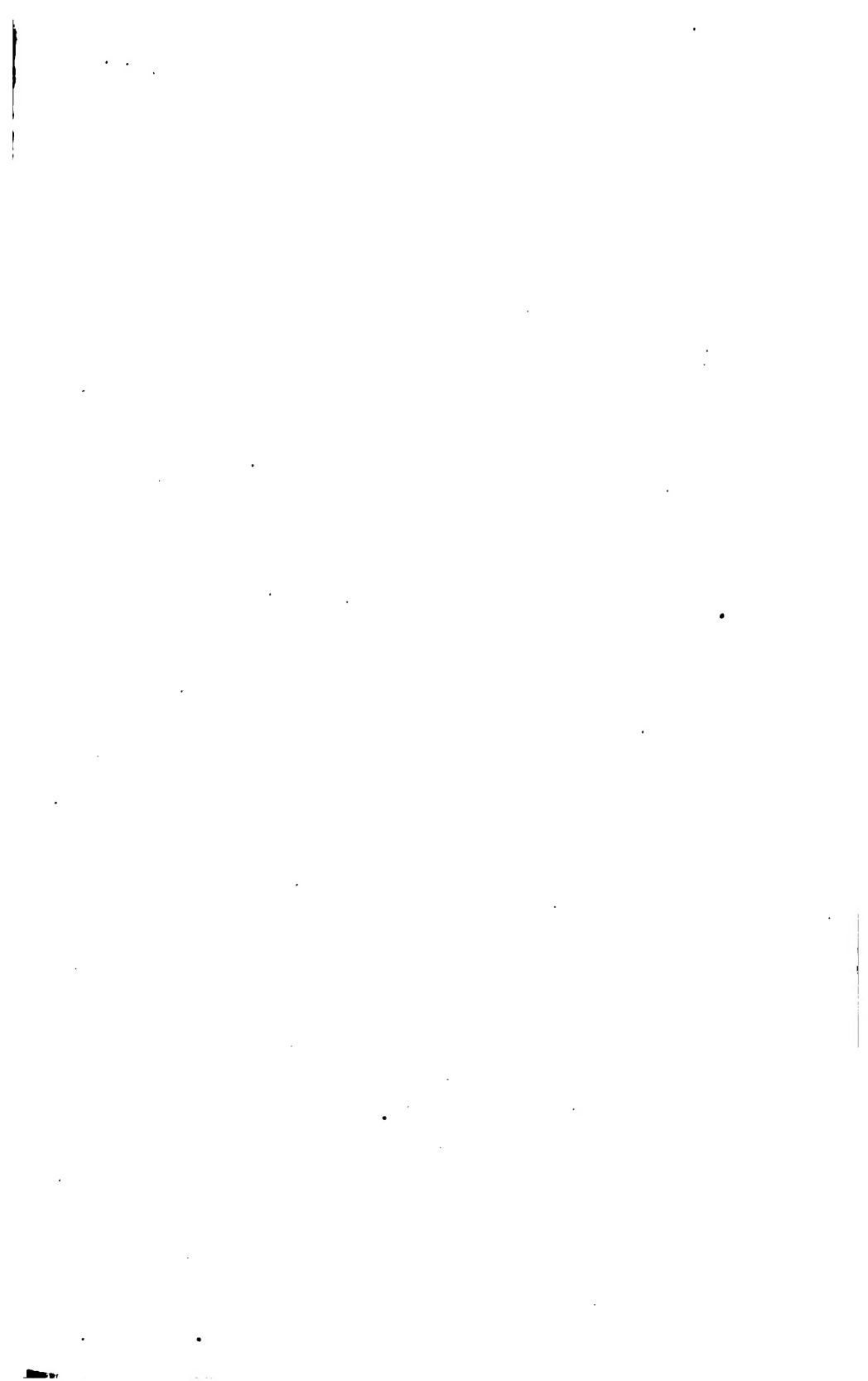
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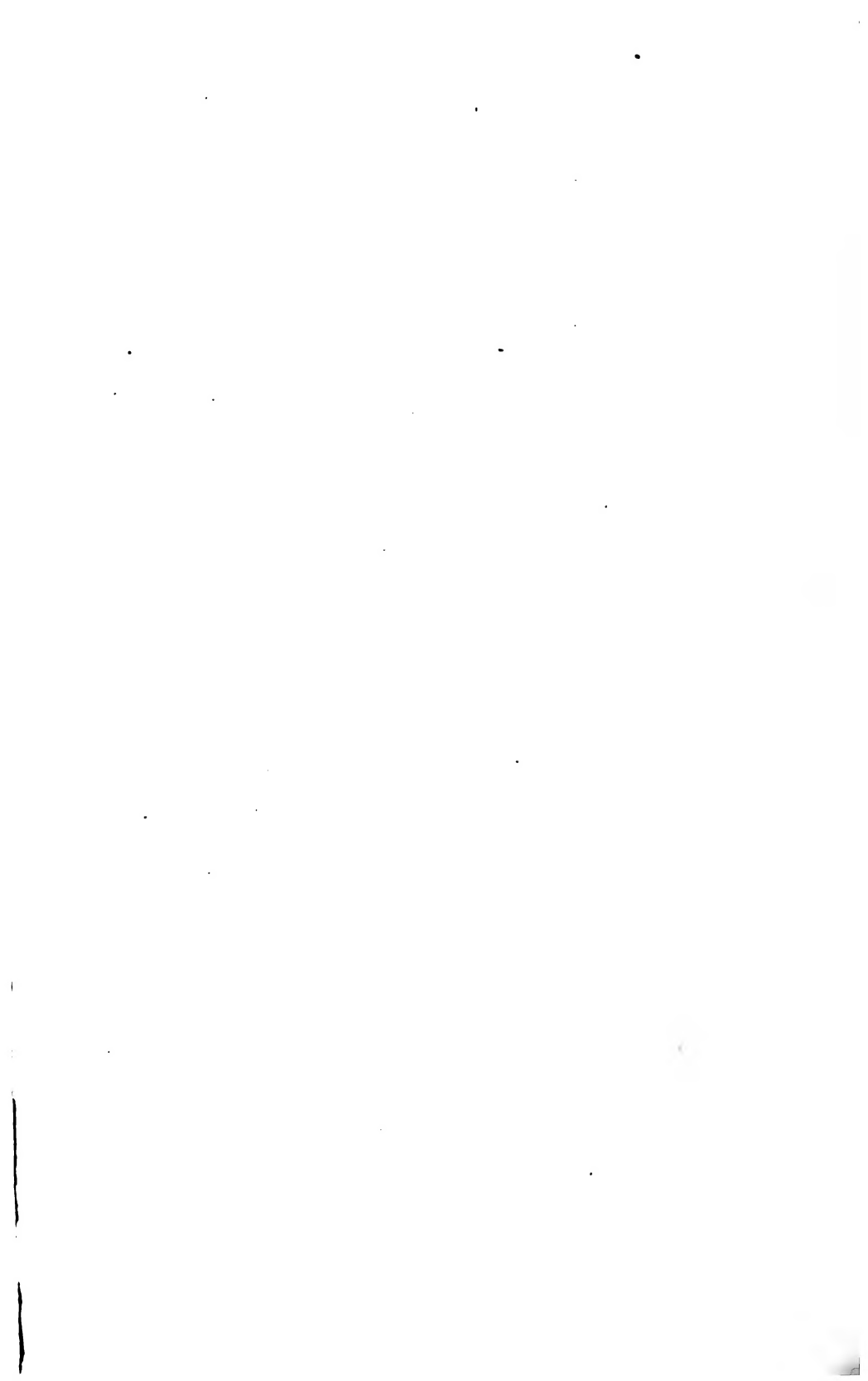
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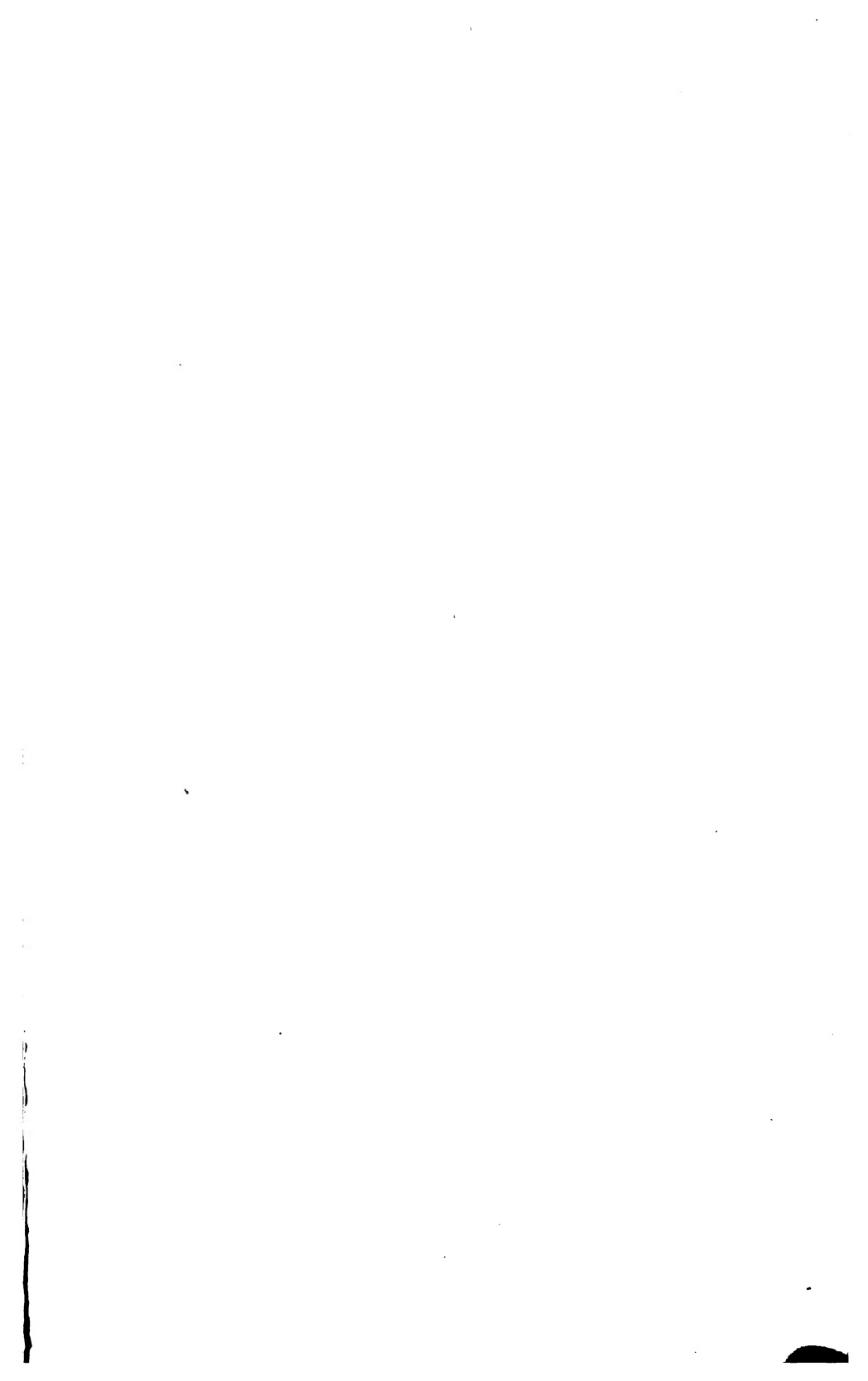


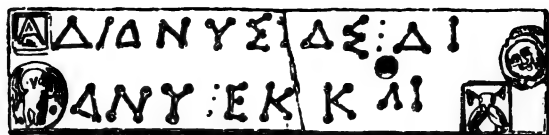


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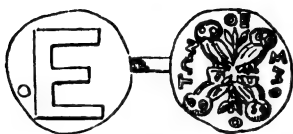
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(1) ΠΙΝΑΚΙΟΝ ΔΙΚΑΣΤΙΚΟΝ (c. 63 § 4)



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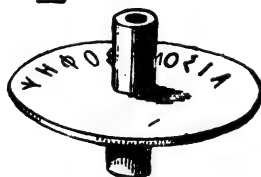
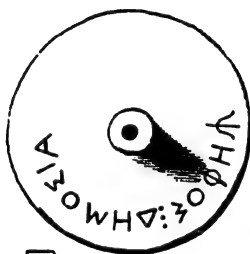
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(4) and (5) ΣΥΜΒΟΛΑ ΔΙΚΑΣΤΙΚΑ (col. 32, 14)



(6) ΨΗΦΟΣ ΤΕΤΡΥΠΗΜΕΝΗ



(7) ΨΗΦΟΣ ΠΛΗΡΗΣ (col. 35, 27—29)

ΣΚΕΥΗ ΔΙΚΑΣΤΙΚΑ

(See description on p. lxxvi)

ΑΡΙΣΤΟΤΕΛΗΣ

ΠΟΛΙΤΕΙΑ

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ΑΡΙΣΤΟΤΕΛΟΥΣ ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ

Ο

ARISTOTLE'S
CONSTITUTION OF ATHENS

*A REVISED TEXT
WITH AN INTRODUCTION
CRITICAL AND EXPLANATORY NOTES
TESTIMONIA AND INDICES*

BY

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HON. LITT.D. DUBLIN.



Tetradrachm of Athens, c. 590—525 B.C. (See note on page 39.)

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PREFACE.

THE preparation of the present volume was planned not long after the memorable publication of Mr Kenyon's *editio princeps* on Friday, the thirtieth of January, 1891. In that important work much was happily done by its able editor to facilitate the study of the newly discovered treatise by a skilful decipherment of the *papyrus*, by a careful comparison of the text with that of the existing fragments, by a judicious restoration of a large number of passages imperfectly preserved in the manuscript, and by an eminently readable commentary on many interesting points of constitutional history. The *editio princeps* was also the *editoris primitiæ*; and, considering the brief limits of time within which it was prepared, and notwithstanding certain superficial blemishes which have since been removed, it was undoubtedly a remarkable achievement.

In the opinion, however, of competent critics there appeared to be room, by the side of Mr Kenyon's work, for an edition in which closer attention might fitly be paid to matters of scholarship and verbal criticism, together with a more minute comparison of the fresh evidence with that already familiar to us in two closely allied departments of Classical learning, (1) the Constitutional History, and (2) the Legal Antiquities of Athens. There was also at that time an acknowledged need of an *Index Græcitatibus*; and lastly there was a call for a fuller and clearer statement of the evidence on the text so far as it could be derived from quotations in later Greek literature. It has been the aim of the present writer to endeavour to supply such an edition.

The *Introduction* begins with a slight sketch of the political literature of Greece before the time of Aristotle, so far as it was directly concerned with theories of government. This is followed by a brief notice of the *Politics* of Aristotle and of the lost political works ascribed to the same author. The external evidence as to the authorship of the *Πολιτεία* is next reviewed in chronological order, showing that, according to testimony extending over fifteen centuries from the age immediately succeeding that of Aristotle, the work, as a whole, was ascribed to Aristotle and to none beside. A brief account of the later literature of the subject is succeeded by a description of the Berlin Fragments, and the British Museum papyrus, of the *Ἀθηναίων πολιτεία*. The date of the treatise is placed between 328 and 325 B.C., which corresponds to the latter part of Aristotle's life; and, after a discussion of its relation to the *Politics*, and an examination of its style and language, it is accepted as being substantially the work of Aristotle himself; due regard is, however, paid to the considerations that have been urged on the other side by several eminent scholars. The discussion of the authorship is followed by an indication of the authorities either certainly or probably used by the writer. This is succeeded by an abstract of the contents, which (excepting a few dates added for the sake of clearness, with one or two items supplementary to the lost beginning of the treatise), is strictly confined to the author's own statements, any extraneous matter being carefully distinguished as such. The rest of the Introduction is mainly devoted to a conspectus of the Bibliography of the treatise, showing that, apart from editions and translations and separate works, the number of writers of signed contributions to the literature of the subject, in the department of periodical publications alone, already exceeds one hundred and thirty. Many of these papers were not published until after the present edition was already in type, the Commentary on the first forty-one chapters and the first draft of the Critical Notes and Testimonia having been written during the Long Vacation of 1891, while the greater part of the Introduction was prepared for delivery in the form of College Lectures in the autumn of the same year. An abstract of the contents of some of the more recent literature is included in the conspectus, wherever it seemed to be desirable. Professor Bruno Keil's important volume of nearly 250 pages on the *Solonian Constitution* as described in the *Ἀθηναίων πολιτεία*, with many interesting criticisms on the treatise in general, did not appear until the present edition was nearly ready for publica-

tion; but it has been found possible to include a few references to it in the *Addenda* and in the *English Index*.

In settling the *Text* I have constantly used the *facsimile* published by the Trustees of the British Museum; and, on nearly all points of special difficulty, I have also endeavoured to form an opinion of my own by consulting the *papyrus* itself. In the case of passages imperfectly preserved in the *ms*, I have considered it safer to accept Mr Kenyon's testimony as to the exact number of letters still visible, than that of other editors who, without having had the advantage of inspecting the *ms*, much less of having constant access to it, have not unfrequently indicated letters as actually visible which (at the best) are represented only by the faintest traces in the *facsimile* on which their texts are confessedly founded. Where the reading is uncertain, or the *ms* defective, I have freely admitted conjectures that commended themselves to my judgment as sound restorations of the text. My own conjectures, so far as they are here put forward for the first time, are always distinguished by an asterisk whenever they are included in the text; but even of these, several must be regarded as merely provisional and tentative restorations. Others are only suggested in the notes. References to all of them may be readily found in the *English Index*, under the heading 'Conjectures.'

In the *Critical Notes* the readings of the *ms* are for convenience recorded in a distinctive type. No one, however, who is familiar with the *facsimile* as a whole, or with the specimen published in Mr Kenyon's *Translation*, will regard these 'small uncials' as intended to represent the actual characters used by any one of the four copyists employed on the work. I have also indicated the readings or conjectures adopted in the principal critical editions that have already appeared; the Dutch edition, by van Herwerden and van Leeuwen; the two German editions, by Kaibel and von Wilamowitz-Moellendorf, and by Blass respectively; and the third (and carefully revised) edition by Mr Kenyon. Where Mr Kenyon has himself withdrawn the reading proposed in his first edition, I have not thought it desirable to record the reading so withdrawn, unless it helped to explain some of the earlier conjectures which in themselves appeared deserving of mention. I have therefore said nothing about such purely provisional readings as καρδίᾳ καὶ κούρῃ in c. 40 l. 17. It was clear that καρδίᾳ could not be right, and more than one scholar (for example, Professor Blass, Professor Mayor, and Mr Bywater) saw at once that καὶ ἰδίᾳ καὶ κούρῃ was a necessary correction;

but, now that it is admitted that this is virtually the reading of the *papyrus*, in which ΚΑΙΔΙΑ is corrected into ΚΑΙΙΔΙΑ, it is no longer necessary to record the text of the first edition. At the time, however, when the above suggestion was made, it had every right to be described as an 'emendation'; and it may be interesting to add that, as such, it attracted the notice of the late Mr Freeman, who observes in the preface to the third volume of his *History of Sicily*:—'such an emendation as this is not conjecture at all; it is the keen instinct of the true expert seeing his way straight to the right thing.' Again, it has not been deemed desirable to record *all* the conjectures that have been proposed since the publication of the *editio princeps*, many of them, however attractive at first sight, being excluded by our present knowledge of the actual readings of the *papyrus*, or by other considerations.

The *Testimonia*, printed immediately below the critical notes, contain further evidence on the text, in the form of quotations in Greek Lexicographers, Scholiasts, and others. Many, but by no means all, of these, had already been recorded in the various editions of the Fragments. In the present volume, a good deal of pains has been spent on the endeavour to trace in the Scholiasts, and in authors such as Aristides, tacit quotations or paraphrases of our text, which had hitherto escaped detection owing to their source having been unacknowledged. In the case of these quotations, it has been thought best not to remain content with giving references alone, but (as a general rule) to print the passages in full. It is only thus that their exact value in relation to the text can be readily seen.

In the *Explanatory Notes* considerable space has naturally been assigned to the quotation of parallel passages, especially from the *Politics*; and on every point an endeavour has been made to compare the new evidence with the old. In the historical notes to the first part (c. 1—41) much had already been accomplished by Mr Kenyon; but the second part (c. 42 to the end) was comparatively new ground. Throughout the work special attention has been given to the evidence of Greek Inscriptions.

The *Greek Index* gives a complete list of the vocabulary, with full citations of the phraseology of the treatise, including that of the passages quoted from the poems of Solon and the decrees of Athens, which are duly distinguished from citations from the body of the work. Words not recorded in the *Index Aristotelicus*, and words hitherto unknown, are indicated by distinctive marks. In checking the items in this Index,

much help has been derived from the two Greek Indices, the *Index Dictionis* and the *Index Nominum et Rerum*, of the Dutch edition; but in the present work it has been thought best to have only one Greek Index, and to adopt a more convenient mode of reference. The preparation of this Index has been a laborious task and has considerably delayed the publication of the volume.

The *Archaeological Illustrations* in the frontispiece are borrowed from Daremberg and Saglio's *Dictionnaire des Antiquités* (Hachette, Paris): the Aeginetan and Attic coins on p. 39, from Baumeister's *Denkmäler des Klassischen Alterthums* (Oldenbourg, Munich). To the publishers of both of these important works, the best thanks are due for the readiness with which they have accorded the use of these illustrations.

Among those who in other ways have aided me in preparing the present work, I gladly mention in the first place Mr Kenyon, who, with his able colleagues in the department of MSS at the British Museum, has afforded me every facility for studying the *papyrus*; and, at times when my daily duties in Cambridge made it impossible for me to visit the Museum, has readily given me the fullest information on any point on which I had occasion to consult him. It is a pleasure to add that for a large number of valuable notes and references I am indebted to the kindness of two whose names have long been eminent in the world of scholars:—Mr W. L. Newman, Fellow of Balliol College, Oxford, and editor of Aristotle's *Politics*; and the Rev. John Eyton Bickersteth Mayor, Senior Fellow of St John's, and Professor of Latin in the University of Cambridge. I am similarly indebted in no less degree to a scholar of more recent reputation, Mr W. Wyse, late Fellow of Trinity, and now Professor of Greek in University College, London, whose felicitous emendations of the text, founded mainly on a minute acquaintance with the Attic Orators, and proposed at a time when he was resident in his College rooms in Cambridge, are one more proof that the spirit of Dobree still happily dwells in its ancient home. Lastly, in response to a request conveyed by Mr George Macmillan, Secretary of the Hellenic Society and a member of the firm by which this volume is published, his Excellency the Minister for Greece, whose recent departure from England is regretted by all lovers of Hellenic learning, was good enough to lend me his own copy of the admirable emendations proposed by his brother, Anastasios Gennadios, in the columns of an Athenian newspaper taking its name from the Acropolis.

He also kindly allowed me the use of a number of a Greek philological magazine, 'Ἀθηνᾶ, containing valuable articles on the textual criticism of the treatise by G. A. Papabasileios, and K. S. Kontos. This magazine was not to be found in the Library of the British Museum, and is practically inaccessible in England except to its annual subscribers. While engaged in exploring the scattered literature of such a subject as the present, one feels in such a case, no less than in that of the *Sitzungsberichte* of the Berlin Academy, the full force of the complaint made not long ago by the late Mr Freeman. 'No man can undertake to find out every pamphlet and every article. And, when one has found what is wanted, it is sometimes forbidden to buy the number that one wants, unless one chooses to buy a whole volume that one does not want.' I can only add that I shall be grateful to writers of similar articles for any separate copies of their papers that happen to be available; and, if in this way I become possessed of any duplicates, I propose to present the duplicate to a Library where it will be readily accessible to many who are interested in the subject.

I owe much besides to the principal editions of the treatise, especially to Mr Kenyon's third edition, more particularly for details connected with the readings in the *papyrus*. The study of the *ms* and of the facsimile alike has been considerably facilitated by the convenient plan adopted in the Dutch edition of Professors Van Herwerden and Van Leeuwen, in which the contents of the *ms* are indicated, not merely column by column, but also line by line. The edition of the text by Professors Kaibel and von Wilamowitz-Moellendorff has been of much use in revising the text and the *testimonia*, and in dealing with the fragments. In this last particular, as in some others, a still further advance has been made in the very useful Teubner text recently edited by Professor Blass, the results of whose subsequent examination of the *papyrus* have, by his own kindness, reached me in time to be included in the *Addenda*.

My obligations to other published works are acknowledged as they arise, and are also expressed in general terms at the close of the bibliographical part of the Introduction. It may here be noticed that several of the most important of the books of reference to which I am thus indebted, are already attesting in their new editions the value of the evidence on the Constitutional History and the Public Antiquities of Athens which is contained in the treatise that, little more than two

years ago, was so unexpectedly restored to us from the tombs of Egypt.

Up to the time of that fortunate event, the student was compelled to satisfy his curiosity with the scattered fragments that, in successive generations, first in Italy and France, and afterwards in Holland and Germany, had been diligently sought by the industry of scholars, and collected into one by those 'friends of Truth,' who (in Milton's phrase) 'imitating the carefull search that Isis made for the mangl'd body of Osiris, went up and down gathering limb by limb still as they could find them.' Even now, when in place of these *disiecta membra*, the actual body of the work has been happily recovered in an approximately complete condition, the 'friends of Truth' have made much ado over many minor details of the great discovery. After all that has been found, the quest continues still; but it is no longer limited, as it was two years ago, to the enterprise of a single scholar, enjoying all the privileges, and, at the same time, encountering not a few of the perils of a solitary pioneer. On the contrary, it is shared by a goodly number of eager investigators in many lands; and the very number of those who are joining in the quest is almost a source of embarrassment to any one of them who attempts to gather up the main results of their research and to combine them with his own. The last two years have led to many points connected with the new treatise being viewed in a more sober light and with a more fitting sense of proportion: the exaggerated expectations that were at first aroused have been followed by a natural reaction, which is now succeeded in its turn by the prevalence of an intermediate state of settled contentment. Meanwhile, the excitement of that earlier time is over; and those who are still engaged on the quest must be content to continue their patient toil unstimulated and unrewarded by any such general and public interest as that which justly awaited the first announcement of an event which has enabled men of letters to realise in the present day some of the joyous surprises of the age of the Renaissance. In the feeling language lately used in Cambridge by a learned prelate belonging to both of the two oldest Universities of the United Kingdom, 'the dignity and nobility of a scholar's life lie in this, that it claims no recognition, and asks for no reward. It seldom admits of excitement; it has no prospect of great encouragement; it looks forward to no definite achievement.' There are times, however, when a student, while attempting to restore and explain some imperfectly recorded remnant of

the past, may take a quiet pleasure in obeying the precept of George Herbert :—

‘If studious, copie fair what Time hath blurr’d’.

And at last there is a moment when, in the spirit of thankfulness that comes with the completion of an arduous undertaking, he may, as at present, offer to the kindly criticism and to the use of others a work which, however long delayed by lack of leisure, and however inadequate in itself, has at least been the result of the most unsparing labour and the most strenuous endeavour.

December 27, 1892.

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INTRODUCTION.

§ 1. *The political literature of Greece before the time of Aristotle.*

IN a brief preliminary survey of the political literature of Greece¹, it is unnecessary to dwell on the names of representatives of the pre-Socratic schools of philosophy, such as Pythagoras of Samos and Protagoras of Abdera, although the former is said to have written a *πολιτικὸν σύγγραμμα* (Diog. Laert. viii 6), and the latter a treatise *περὶ πολιτείας* (*ib.* ix 55). The work ascribed to Pythagoras was undoubtedly spurious; like that of Protagoras, it has been lost to posterity.

The earliest extant specimen of this branch of literature is the treatise preserved among the works of Xenophon under the title of *Ἀθηναίων πολιτεία*. Among modern scholars Cobet stands almost alone in being content to accept it as Xenophon's (*Nov. Lect.* p. 706). Its authorship is in fact uncertain: it has been attributed to Alcibiades², and also to Critias³, who is known to have written on the *πολιτεῖαι* of Sparta, Thessaly and Athens. It may fairly be regarded as emanating from the oligarchical party at Athens, and as primarily intended for the perusal of readers at Sparta who sympathised with their aims. It was probably written between B.C. 426 and 413. It is in any case the earliest Greek political treatise that has come down to us. More than this, it is the 'oldest extant specimen of literary Attic prose'; it is also 'the oldest extant specimen of a political pasquinade'. The real or imputed abuses of the Athenian Democracy are attacked in a tone of bitter sarcasm or insidious irony, relieved by acute remarks on interesting points of national economy, such as the relations of Athens to her subjects and rivals, and the comparative strength and weakness of her naval and military establishments⁴.

The *Λακεδαιμονίων πολιτεία*, though regarded as spurious by Deme-

¹ Cf. Henkel, *Studien zur Geschichte der Griechischen Lehre vom Staat*, esp. pp. 1—17, *die politischen Schriften der Philosophen*.

² W. Helbig, *Rhein. Mus.*, xvi 511 ff.

³ e.g. by Boeckh, *Public Economy of*

Athens, III v, vol. i p. 390 Fränkel.

⁴ Jebb, *Primer of Gk. Lit.*, p. 114.

⁵ Col. Mure's *Literature of Greece*, v 422—5. See also A. Kirchhoff, in the *Abhandlungen* of the Berlin Academy for 1874.

trius of Magnesia (Diog. Laert. ii 57), is accepted as the work of Xenophon by Plutarch (*Lyc.* 1) and others in ancient times, and among the moderns by Cobet (*Nov. Lect.* p. 705—724) and many others. Its date is possibly later than the battle of Leuctra (371); but is more probably between 403 and 401. It is a work inspired throughout by admiration of Spartan institutions. The *Κύρου παιδεία* is later than the death of Socrates (*Cyrop.* III i 38—40), and was probably written after Xenophon's return from exile, or about 369. While professing to describe the education of the founder of the Persian empire, it is really a historical and political romance, an idealised biography with a didactic purpose, being practically an encomium on Socratic principles and Spartan practice. It is prompted by the author's experience of Hellenic political and social life, especially the instability and vicissitudes of various forms of government¹.

The pamphlet entitled *πόροι* [*ἡ περὶ προσόδων*] was probably not the work of Xenophon, but was written about 346 B.C. as a manifesto of the party who held that the commercial prosperity of Athens depended on peace with Philip. It suggests several expedients for enlarging the revenue, especially by means of taxes levied on resident aliens, as well as profits derived from the labour of 10,000 public slaves who were to be employed in the mines of Laurium.

Passing from 'Xenophon' to Plato, we have in the *Republic* the most memorable of all delineations of an Ideal State. In the first four books the description of the State is in harmony with Hellenic notions of religion and morality; in the remainder, the Hellenic State is transformed into an ideal kingdom of philosophy, of which all other governments are perversions². In the eighth book³ all conceivable forms of constitutions are reduced to five classes, represented by aristocracy, timocracy, oligarchy, democracy and despotism or tyranny, corresponding to five leading types of individual character. In the portraits of the typical 'timocrat', tyrant, and democrat, and in the account of the successive changes which they represent, we have a sequence of transformations that is not entirely in accordance with historical facts, but nevertheless supplies us with something of the nature of a philosophy of history. The author is clearly no lover of democracy, or indeed of any of the existing varieties of government. His gaze is fixed on something above and beyond the horizon of his time. In his view, as expressed in the closing words of the ninth book, the man of understanding is little likely to be a politician in the land of his birth, though he will certainly be a politician in an ideal city which is all his own;

¹ Introduction to Holden's ed.

² p. 544, compared with IV *ult.*

³ Jowett, *Introd.* to the *Republic*, p. 3.

a city whose pattern is laid up in heaven, and he who desires may look on that pattern and in the vision find indeed his home. But whether there really is, or ever will be, such a city, is of no concern to him; for he will do all things in obedience to the laws of that city and of no other.

The *Republic* is almost always called the Πολιτεία, but sometimes bears the plural name, Πολιτεῖαι. Thus Themistius (ii 32 c) associates with the name of Plato, Πολιτεῖαί τε αἱ κλειναὶ καὶ οἱ θεσπέσιοι Νόμοι. The dialogue on the *Laws* was composed after the *Republic* (Ar. Pol. ii 3, 1), and was published after the author's death (Diog. Laert. iii 37). It sets forth in minutest fulness the details of an Ideal Code; and, in the absence of any actual code of the institutions of Athens, the indications of the existing laws therein contained are often of special value¹. The lofty conception of the 'rule of Philosophers' is here abandoned, and the state described is the best which is practically possible under the existing limitations of Greek life. In the third book the author reviews the constitutions of Sparta, Persia and Athens, noting the causes of the success and failure of each; and then proceeds to develop his own constitution. In the Platonic dialogue, entitled the Πολιτικός, or an inquiry into the definition of a Ruler, there is much affinity with the *Laws* of Plato and the *Politics* of Aristotle. In contrast to the doubtless earlier scheme in the *Republic*, with its five types of constitution, we here find a series of seven, in which, apart from the ideal and only perfect type, we have six existing forms of government. These six are obtained by dividing the rule of the One (μοναρχία), of the Few (ἡ ὑπὸ τῶν ὀλίγων δυναστεία), and of the Many (δημοκρατία) into two varieties each, (1) into kingship and tyranny, and (2) into aristocracy and oligarchy, while the two varieties of democracy ('constitutional government' and 'simple democracy') are undistinguished by any differences of name. The distinction in each of these three pairs turns upon the question whether Law is observed or not². In its political views, and probably in its date, this dialogue occupies an intermediate position between the *Republic* and the *Laws*; and its classification of typical forms of government reappears, with slight differences of terminology, in the *Ethics* and *Politics* of Aristotle³. Of the other political dialogues bearing Plato's name, the *Epinomis* is an appendix to the *Laws*, and is mainly concerned with Education; the *Minos* dis-

¹ See esp. K. F. Hermann, *De vestigiis institutorum veterum, imprimis Atticorum, per Platonis de Legibus libros indagandis*, 1836.

² *Politicus*, pp. 291, 302.

³ *Eth.* viii 10; *Pol.* iii 7 and vi (iv) 2. Cf. Newman's *Politics*, i 430—433, and Prof. Sidgwick in *Class. Rev.* vi 141—4.

cusses the definition of Law; but neither of these can be reckoned among the genuine works of Plato.

The above summary has been purposely confined to writings strictly concerned with politics, to the exclusion of historical works in which political discussion only plays a subordinate part. Otherwise, we might have recalled the debate on the relative merits of monarchy, oligarchy and democracy, which is ascribed to the Persian grandees in the pages of Herodotus (iii 80—82); and the reflexions on the effects of party spirit in Grecian politics, to which Thucydides is prompted by the narrative of the vengeance of the victorious *demos* on the oligarchs of Corcyra (iii 82 f). As it is, in the limited field of purely political literature, we have noted the rise of the polemical pamphlet, and the historical romance, while in Plato's delineation of an Ideal State and an Ideal Code, we have seen the prototype of writings such as Sir Thomas More's *Utopia* and Bacon's *New Atlantis*. The setting forth of such ideals became a favourite medium for the expression of political criticism; but it is characteristic of Aristotle that, while following this fashion, he succeeded in bringing the political speculations of philosophy into closer relation with the facts of history. In the language of one of the foremost authorities on the political writings of Aristotle, "political science 'begins' for Aristotle 'in History', no less than in Ethics"¹. "The vision of an ideal State did not make Aristotle indifferent to the problems and difficulties of the actual State. The age which dreams of ideal States is often on the point of losing its interest in politics; but this was far from being the case with Aristotle".

§ 2. *Political works ascribed to Aristotle.*

Among the political writings ascribed to Aristotle by far the most important is, of course, the *Politics*. The imperfect form in which it has come down to us has been variously explained. The earlier view, supported by Spengel², was that the work of Aristotle was originally completed by himself, and that important portions of it were afterwards lost. The later view, which is more probable in itself, and is accepted by almost all Aristotelian scholars in modern times, regards the *Politics* as a work that was left unfinished. This view is corroborated by the fact that in later writers we have no reference to the *Politics* which cannot be traced to the existing work. The latest event mentioned in it is the death of Philip, B.C. 336 (viii (v) 8, 10, p. 1311 b 2). As to

¹ Mr W. L. Newman's *Politics*, vol. i p. 15.

² *ib.* p. 89.

³ *Ueber die Pol. des Ar.*, pp. 44 ff.

the order of the books, it can hardly be doubted that, owing to the nature of their contents, books vii and viii should come immediately after iii, while it is not quite certain that books v and vi should be transposed. The order adopted by Susemihl is as follows: i, ii, iii, vii, viii, iv, vi, v. Thus books iv—viii of the new order correspond to vii, viii, iv, vi, v, of the old¹. In the *Politics* Aristotle discusses the origin of the household, the village and the state, and examines the nature of property, and in particular of property in slaves (Bk. i). The citizen is defined as one who shares in the judicial or deliberative administration of a state. In the next book, Aristotle criticises the *Republic* and the *Laws* of Plato, the constitutions framed by Phaleas and Hippodamus, and the actual forms of government prevailing in Sparta, Crete and Carthage, closing with some (possibly interpolated) criticisms on Solon and Pericles (ii). The various types of government are thereupon described in turn, Monarchy, Aristocracy and a mixed constitutional system called *πολιτεία*, together with the three forms into which they respectively degenerate, Tyranny, Oligarchy and Democracy (iii). The author next delineates his Ideal State, and deals with the subject of Marriage and of Education, Bk iv (vii). The latter should be national and also liberal; its two main branches are 'music' and 'gymnastic', Bk v (viii). The types of government are then discussed in detail. Of the three perversions, Tyranny, the perversion of Monarchy, which is itself the best and most divine, is necessarily the worst. Oligarchy, the perversion of Aristocracy, is not so bad as Tyranny; the last, and the least bad, is Democracy. The different kinds of government are then further discriminated, with the forms assumed by the deliberative and the executive power in each, Bk vi (iv). The basis of democracy is defined to be liberty, which includes the principle that 'all should rule and be ruled in turn'. The characteristics of democracy are then described:—all officers of state are appointed 'by all, and out of all'; all rule over each, and each in turn rules over all; the appointment is by lot, except in cases where special knowledge is required; there is little or no qualification; office is held for a short time only, and rarely (if ever) twice, except in the case of military offices; all men, or at least persons selected out of all, sit in judgment in all causes, or at any rate on the most important; the public Assembly is supreme, not the officers of state; when the citizens are paid, even the Council loses its

¹ In the present work, whenever the books of the *Politics* are specified, the number in the new order is given first, followed (in parenthesis) by that of the old order. As a general rule, however, the references are solely to the pages and

lines of the Berlin ed.—Among the most recent discussions of the order of the books may be mentioned Shute's *History of the Aristotelian Writings*, pp. 164—176; and Newman's *Politics*, vol. i 292, vol. ii pp. xxi—xxiv.

power, as the Assembly and the Lawcourts take all the business to themselves. Then follow the various kinds of oligarchies; and the consideration of the due coordination of offices in the state, Bk VII (VI). The author's design is now nearly completed. He has still to speak of the motives, objects and occasions of revolutions in states. Revolutions begin in trifling matters but involve important issues. They are brought about either by force or by fraud. The author next considers how revolutions may be avoided, and tyrannies and monarchies preserved; he describes a despot of a virtuous and beneficent type; and adds some reflexions on the short duration of tyrannies and oligarchies. Lastly, he attacks the views put forward in the *Republic* as to the cycle through which states are described as passing in the course of their decline. Thus the work ends (as it began) with a criticism on Plato.

Among the lost writings of Aristotle was one entitled *Πολιτικός*, a dialogue in two books, expressly mentioned by Diogenes Laertius (v 22), and vaguely noticed by Cicero¹. The anonymous list of his works, now ascribed to Hesychius, includes the *περὶ ῥήτορος ἢ πολιτικοῦ*. That of Diogenes Laertius, a work entitled *περὶ βασιλείας*, said to have been addressed to Alexander²; and a dialogue on colonisation under the name of *Ἀλέξανδρος ἢ ὑπὲρ ἀποικιῶν α'*³. In closer connexion with contemporary history, the *δικαιώματα πόλεων* ascribed to Aristotle are said to have contained the formal pleas on the points of difference submitted by the Greek states to the arbitration of Philip⁴. A work of far wider scope was that known as the *νόμματα*, or *νόμματα βαρβαρικά*, of Aristotle. This was a comprehensive account of the institutions of various non-hellenic peoples, including the Etruscans, under the head of *νόμματα Τυρρηνῶν*. An abstract of this existed at one time under the name of *νομίμων βαρβαρικῶν συναγωγή*⁵.

Lastly, there was the work entitled the *Πολιτεῖαι*, or sketches of the constitutional history of a large number of Hellenic states. Constitutional history, however, was far from forming the sole subject of this extensive work. The numerous fragments that have survived give abundant proof that local legends, national proverbs, and even anecdotes of social life found a place in its pages⁶. It is generally supposed

¹ *De Fin.* v 4, 11, 'cumque uterque eorum (Aristoteles et Theophrastus) docuisset, qualem in republica principem esse conveniret'—; *ad Quintum fratrem*, iii 5, 1, 'Aristotelem, quae de republica et praestante viro scribat, ipsum loqui.' Cf. Bernays, *die Dialoge des Ar.* pp. 53, 153.

² Cf. Bernays, *l. c.*, pp. 53, 154; published by Lippert (1891) from an Arabic translation.

³ Bernays, *l. c.*, pp. 56, 156.

⁴ Rose, *Aristotelis qui ferebantur librorum fragmenta*, (Teubner) 1886, frag. 612—614.

⁵ *ib.* frag. 604—610. Diels (Berlin Academy, 30 July, 1891) suggests that pap. ix p. 29 of the Flinders Petrie papyrus is an excerpt from the *νόμματα βαρβαρικά*.

⁶ Rose, *Aristoteles Pseudepigraphus*, p. 395; *Fragmenta*, 381—603, ed. 1886.

that the great collection of facts comprised in the *Πολιτεῖαι* formed the materials for the composition of the *Politics*. It will be shewn at a later point that the *Ἀθηναίων πολιτεία* in particular was not completed until about nine years after the latest date recorded in the *Politics*; but this fact is not inconsistent with the materials collected for the *Πολιτεῖαι* being used in the *Politics* even before they had themselves been reduced into their present form. As regards the comparative value of the two works, the general character of the fragments of the *Πολιτεῖαι* shews that it would be going too far to say that we could wish that the *Πολιτεῖαι* were 'preserved, even at the expense of the extant book on the theory of politics', especially when we reflect that, in the words of the writer just quoted, 'the *Politics* are confessed on all hands to be the ripest and fullest outcome of Greek political experience'¹.

The treatise known as the *Ἀθηναίων πολιτεία* formed part of the vast collection of *Πολιτεῖαι* which the unanimous voice of antiquity ascribed to the pen of Aristotle. In tracing the literary history of the *Πολιτεῖαι* we must necessarily begin with the well-known story of the fate of Aristotle's library, which is told in full by Strabo (p. 608—9), and more briefly touched upon by Plutarch (*Sulla*, 26). On the death of Aristotle, in 322 B.C., his library passed into the possession of his pupil, Theophrastus, who presided over the Peripatetic school at Athens until his death in 287. The library of Theophrastus, including that of Aristotle, was bequeathed to a pupil of both, named Neleus, who removed it to Scêpsis, an inland town of Asia Minor, in the S.E. of the Troad. From Neleus it passed to his descendants, who were men of neither literary accomplishments nor philosophic tastes. They are described by Strabo as *ιδιώται*. They were, however, sufficiently conscious of the value of the manuscripts to prevent their being appropriated by the kings of Pergamos, who began to form their famous library about thirty or forty years after the death of Theophrastus. The manuscripts were accordingly concealed in a cellar, where they were exposed to injury from the effects of damp and the depredations of worms. It was probably after the death of the last of the Pergamene Kings in B.C. 133, that they were sold to Apellicon of Teôs, a wealthy adherent of the Peripatetic school at Athens. On examination they were found to contain many compositions which were unknown to the successors of Theophrastus at the head of the Lyceum. Their owner caused them to be copied; but, as he was 'more of a *bibliophile* than a philosopher', the transcripts published under his care proved to be far from accurate. In 86 B.C. Athens was captured by Sulla, and the library of Apellicon was taken to Rome. It was placed under the charge of a librarian, by whose

¹ Mahaffy's *Hist. of Classical Gk. Literature*, ii 414.

permission it was properly arranged by a learned Greek, a friend of Cicero and a preceptor of Strabo (p. 548), named Tyrannion. Copies were obtained from Tyrannion by Andronicus of Rhodes, who classified the works according to subjects¹, published them, and drew up the lists which were current in the time of Plutarch².

On the strength of this last statement it has been supposed that all the extant lists of Aristotelian writings are to be ultimately traced to Andronicus³. But, even before his time, the successors of Theophrastus possessed copies of a few at least of the works of Aristotle, chiefly of the exoteric or popular class⁴. As examples of these, the list suggested by Grote⁵ includes the dialogues; the legendary and historical collections; and the constitutional histories of various Hellenic cities. Thus, the *Πολιτεῖαι* may have been known to the successors of Theophrastus even before the library of Aristotle was for a time restored to Athens more than two centuries after the owner's death. But, to show that the fate of Aristotle's writings did not entirely depend on the fortunes of the library buried in the vault at Scêpsis, we have abundant proof of some of them being familiar to the philosophic world during the interval in which his library itself was lost to view⁶; and it is probable that many of them, including those of more general interest, were at an early date transcribed at Athens and thence transmitted to the great library at Alexandria.

In the case of Theophrastus, we know for certain that lists of his works were drawn up, not only by Andronicus of Rhodes, but also by Hermippus of Smyrna, who lived till about the end of the third century B.C. and was a pupil of Callimachus, the chief librarian of the Alexandrian Museum⁷. Such a list is preserved by Diogenes Laertius⁸, with the titles arranged in alphabetical order. The corresponding list of the writings of Aristotle is not in the order of the alphabet, but is arranged with a certain degree of method under 146 titles as follows. "First we have the dialogues and other exoteric works, then two or three early abstracts of Platonic lectures or writings, then we come to a part of the list in which logical works seem to predominate; ethical, political and

¹ Porphyry, *life of Plotinus*, c. 24, p. 117 Didot.

² Plut. *Sulla*, 26; cf. Grote's *Aristotle*, i pp. 50—54, and Shute's *History of the Aristotelian Writings*, p. 29—39.

³ Rose, *Ar. Pseud.*, p. 8; *Frag.* (1886) p. 1.

⁴ Strabo, p. 609, συνέβη δὲ τοῖς ἐκ τῶν περὶ πάτων τοῖς μὲν πάλαι τοῖς μετὰ Θεόφραστον οὐκ ἔχουσιν ὅλως τὰ βιβλία πλὴν ὀλίγων, καὶ μάλιστα τῶν ἐξωτερικῶν.

⁵ *Aristotle*, p. 55.

⁶ Zeller, *Phil. d. Griechen*, II ii p. 145—153^a.

⁷ Schol. in Theophr. *Met.* τοῦτο τὸ βιβλίον Ἀνδρόνικος μὲν καὶ Ἑρμιππὸς ἀγνοοῦσιν. οὐδὲ γὰρ μετὰ αὐτοῦ ὅλως πεποιήται ἐν τῇ ἀναγραφῇ τῶν Θεοφράστου. Heitz, *die Verlorenen Schriften des Ar.*, p. 47. Susemihl, *Ar. über die Dichtkunst*, 1865, p. 17; and *Gr. Litt. in der Alexandrinerei*, i 492, 494 note 11.

⁸ V 21—27.

rhetorical works predominate towards the middle; then come physical and zoological works; last in order we have works designed in all probability for Aristotle's own use ('hypomnematic works'), letters and poems¹. The arrangement seems hardly sufficiently precise to be that of Andronicus, who is said to have introduced the plan of grouping the writings according to their subject-matter²; and this is not the only reason for regarding it as independent of Andronicus³. It has in fact been conjecturally ascribed to Hermippus, and has been generally supposed to be founded on the catalogue of Aristotle's works in some great library like that of Alexandria. In a subsequent passage (v 34) Diogenes observes that the books enumerated were nearly 400 in number. He even adds that their genuineness was not contested by any one⁴.

There is a second list, ascribed to Hesychius and containing only 127 titles, 27 of those in Diogenes being here omitted and 8 added in their place⁵.

A third list, ascribed to 'Ptolemy the philosopher,' is found in an Arabic translation only. This includes 92 titles. It is certainly later than the time of Andronicus, as one of the titles relates to certain treatises found in the library of *Almikum* (*Ablikun* or *Atlikun*), the Arabic form of Apellicon.

In all three lists the *Πολιτεῖαι* are included. In I they appear as the 143rd item:—*πολιτεῖαι πόλεων δυοῖν δεούσαι ρΞ* (sc. 158), <κοιναι> καὶ ἰδιαί, δημοκρατικαί, ὀλιγαρχικαί, ἀριστοκρατικαί, τυραννικαί.

In II 135 the title is *πολιτείας πόλεων ἰδιωτικῶν καὶ δημοκρατικῶν καὶ ὀλιγαρχικῶν* <καὶ> ἀριστοκρατικῶν καὶ τυραννικῶν ρNH (158).

In III 81 the Arabic description is translated as follows: 'liber quem inscripsit de regimine civitatum et nominatur *bulitija*, et est liber in quo commemoravit regimen populorum et civitatum plurium e civitatibus Graecorum et aliorum earumque relationem (originem? cognationem?); numerus vero populorum et civitatum quarum meminit [in eo] CLXXI [civitates magnae]'.

In III the number of the *πολιτεῖαι* is given as 171; whereas I and II agree in making it 158. The ancient Latin Version of the life of Aristotle states the number as 250; while, among the early expositors of Aristotle, Elias twice gives the same number, and Ammonius has

¹ Mr W. L. Newman's ed. of *Ar. Pol.* vol. i p. vi.

² Porphyry, ref. on p. xvi, note 1.

³ Zeller, II ii, 51 f.

⁴ Grote's *Ar.* i 40.

⁵ First published by Ménage on Diog. vol. ii 201. The same list was found by

Rose in two MSS in the Ambrosian library at Milan (*A. P.* p. 709). All the lists are given by Rose in the Berlin *Ar.*, vol. v 1463—1473, and in the Teubner text of the *Fragmenta*, pp. 3—22.

⁶ Rose, *Frag.* pp. 8, 16, 21².

250. The higher estimate is either a mere mistake, or has arisen from including among the *πολιτεῖαι* certain of the *νόμιμα βαρβαρικά*. The latter view is confirmed by the fact that one of our authorities for the larger number¹ mentions it in immediate connexion with the statement that Aristotle accompanied Alexander on his expedition to the East, even as far as 'the land of the Brahmins,' where (according to this imaginative commentator) he actually compiled 'the 255 *πολιτεῖαι*'; while the estimates of Elias are in both cases given in a similar connexion. We may therefore discard the larger number, and accept 158 as resting on better authority².

The total number of *πολιτεῖαι* included in modern collections of their fragments is 99. In 51 of these the name of Aristotle and the title of the *πολιτεία* are expressly mentioned, generally thus: '*Ἀριστοτέλης ἐν τῇ —ων πολιτείᾳ*'. In 16 others, Aristotle is cited, but the name of the state is not given, though it can be inferred from the contents of the passage. Lastly, out of the total number of 80 states mentioned in the *Politics*, there are 32 that are not named in the fragments already enumerated, but which may fairly be assumed to have been included in the original work. Thus we have a list of 51 + 16 + 32, or 99 states, more than half of which (51) are represented by fragments in which the title of the work, as well as the name of Aristotle, is mentioned, while in more than two-thirds (67 out of 99) the name of Aristotle occurs. The three classes are as follows:

I (51)			II (16)		III (32)	
'Αθηναίων	'Ιμεραίων	Μηλιέων	'Αντανδρίων	'Αμφιπολιτῶν	Καρχηδονίων	
Διγυνητῶν	Κείων	Ναξίων	'Ατραμνηνῶν	'Αττισσαίων	Καταναίων	
Διτωλῶν	Κερκυραίων	Νεσπολιτῶν	'Επιδαυρίων	'Απολλωνιατῶν	Κλαβομενίων	
'Ακαρνανίων	Κιανῶν	'Οπουντίων	Θηβαίων	'Απολλωνιατῶν	Κνιδίων	
'Ακραγαντινῶν	Κολοφωνίων	'Ορχομενίων	'Ιασέων	ἐν Πόντῳ	Κώνων	
'Αμβρακιωτῶν	Κορινθίων	Παρίων	Κρητῶν	'Αρυδηνῶν	Λαρισσαίων	
'Αργείων	Κυθνίων	Πελληνέων	Κροτωνιατῶν	'Αφυταίων	Λεοντίων	
'Αρκάδων	Κυμαίων	Σαμίων	Κυθηρίων	Βυζαντίων	Μαγνήτων	
'Αχαιῶν	Κυπρίων	Σαμοθράκων	Μηλίων	'Επιδαμνίων	Μαντινέων	
Βοττιαίων	Κυρηναίων	Σικυνίων	Μιλησίων	'Ερετριέων	Μολοσσῶν	
Γελώνων	Λακεδαιμονίων	Συνωπέων	'Ρηγίων	'Ερυθραίων	Μυτιληναίων	
Δελφῶν	Λευκαδίων	Συρακοσίων	'Ροδίων	'Εστιαίων	'Ροδίων	
Ἠλείων	Λοκρῶν	Ταραντινῶν	Σολέων	Ζαγκλαίων	Φαρσαλίων	
'Ηλείων	Λυκίων	Τεγεατῶν	Συβαριτῶν	'Ηρακείων	Χαλκιδέων	
'Ηπειρωτῶν	Μασσαλιωτῶν	Τενεδίων	Τηρίων	'Ηρακλεωτῶν	Χίων	
Θετταλῶν	Μεγαρέων	Τροιζήνιων	Χαλκηδονίων	Θηραίων	'Ορεϊτῶν	
'Ιθακησίων	Μεθωναίων	Φωκαίων		'Ιστριέων		

¹ *Vita Ar. vulg.*, Rose, *Frag.* p. 258².

² A division of the *πολιτεῖαι* into genuine and spurious seems to be im-

plied by Simplicius, in *Ar. Categ.* p. 27 a 43 Brandis, ἐν ταῖς γνησίαις αὐτοῦ πολιτείαις. But it has been proposed either

The πολιτεῖαι are said to have been arranged in the order of the alphabet¹. Some have seen indications of this in the reading preserved in a single MS of Harpocration, s.v. θεσμοθεταί :—'Αριστοτέλης ἐν τῇ α' Ἀθηναίων πολιτείᾳ, and also in the phrase in Photius, s.v. σκντάλη :—ὡς Ἀριστοτέλης ἐν τῇ Ἰθακησίων πολιτείᾳ μβ. Here the πολιτεία of Ithaca appears to be described as 42nd in the series. If we test this by taking the 99 extant titles of πολιτεῖαι as the basis of our calculation, Ithaca, which is 37th in the list of 99, would have been 58th in the complete list of 158; if, again, we take the 67 titles in which Aristotle is named, Ithaca, which is 21st of the 67, would have been 50th in the complete list; if the 51 in which the name of the particular πολιτεία is specified, Ithaca, which is 17th of the 51, would have been 52nd, not 42nd. This calculation, of course, assumes that in the longer list, the names in alphabetical order are distributed in the same proportion as in the shorter lists. But it is highly probable that μβ is a corruption of either μέμνηται or (as proposed by Bergk) μαρτυρεῖ. If so, we cannot rely on this phrase as proof of an alphabetical order. Besides, if the order was alphabetical, it was unnecessary to specify the number of any particular treatise. Such an arrangement, however, although not attested with any certainty, is natural in itself, and the constitution of Athens would in any case have occupied the first place.

§ 3. On the evidence of ancient authorities as to the authorship of the Πολιτεῖαι.

We may now proceed to review in chronological order the successive quotations from the Πολιτεῖαι which are preserved in ancient authorities.

Firstly, there is reason to believe that the historian PHILOCHORUS, writing before 306 B.C., or less than 20 years after the composition of the Ἀθηναίων πολιτεία, quoted that work as Aristotle's. The grounds which have been suggested for this belief are as follows :—

(1) The Scholium on Arist. *Vesp.* 1223 includes a quotation from Ἀθ. πολ. 13, ll. 16—20; the latter part of that Scholium coincides with one on *Lys.* 58 which is proved by Strabo, p. 392 c, to come from Philochorus. Hence it is possible that the whole of the Schol. on *Vesp.* 1223 really comes from Philochorus, and that Philochorus is our real authority for the citation from the Ἀθ. πολ. (2) In the term ἀποψηφισθῆναι τὸ δέχθαι (*frag.* 57), Philochorus appears to be correcting or explaining the phrase τὸ δέχθαι ἀποσεῖσθαι,—probably a reminiscence of ἀποσεῖσθαι τὸ βάρος in Ἀθ. πολ. 6 § 1. (3) In Plutarch's *Life of Themistocles*, 10, Aristotle is cited as

to alter πολιτείας into ἐπιστολαῖς (Ideler, in Ar. *Meteor.* I xii n. 40), or (with greater probability) to regard γνησίαις as a corruption of the number ρνη (158); Heitz, *Frag.*

Ar. p. 223 a.

¹ κατὰ στοιχεῖα, Elias, ap. Rose, *Frag.* p. 258², l. 29.

authority for a statement respecting the action of the Areopagus immediately before the battle of Salamis ('Αθ. πολ. 23 § 1). Cleidemus, the author of an *Ἀθῆς*, is next quoted as asserting that this action was due to the wiles of Themistocles. Then follows the story of the dog of Xanthippus which, in Aelian, *de Natura Animalium*, xii 35, is attributed to 'Aristotle and Philochorus.' It has been plausibly suggested that Aelian had read an extract, ultimately derived from Philochorus, on the events immediately preceding the battle of Salamis, in which the name of Aristotle may have occurred in connexion with the account of the action of the Areopagus, and in which the story of the dog of Xanthippus was also related. This may have lead Aelian to make the mistake of quoting Aristotle, as well as Philochorus, as authorities for the story about the dog. If, as is not improbable, the whole of the narrative in Plutarch comes from Philochorus, then Philochorus, and not Plutarch, is our authority for attributing to Aristotle the quotations from the *Ἀθ. πολ.* respecting the action of the Areopagus. This implies that 'a careful historical student and critic, who lived and wrote at Athens in the generation immediately following Aristotle's,' accepted the *Ἀθηναίων πολιτεία* as the work of Aristotle himself¹.

An early notice of the *Πολιτεία* may also be traced in the attack made by TIMAEUS on Aristotle's account of the origin of the Greek colony of Locri Epizephyrii. Timaeus was born about 352 B.C. (or 30 years before the death of Aristotle), was banished from Tauromenium in 310, and from about that time resided in Athens for more than 50 years, dying about 256 B.C. The evidence for this attack on the part of Timaeus is to be found in Polybius, who rejects the view of Timaeus, and emphatically supports the account given by Aristotle². From a subsequent passage it appears that the attack of Timaeus was directed against Theophrastus as well. We are not told in which of Aristotle's works the description of the origin of Locri was to be found, but it is reasonable to suppose that it was the *Πολιτεία*. The only other possible work would have been the *Ἀλέξανδρος περὶ ἀποικιῶν*, which is now represented by its title only. Now Timaeus was in Athens for 23 out of the 35 years during which Theophrastus presided over the Lyceum as the successor of Aristotle. He had thus exceptional opportunities for becoming acquainted with Aristotle's writings, and with the traditional knowledge of them preserved by the Peripatetic School; and he may fairly be quoted to prove that within 66 years of the death of Aristotle, one of the *Πολιτεία* was attributed to that author.

The *Πολιτεία* appear to have been also quoted by PHILOSTEPHANUS of Cyrene, the author of works entitled *περὶ εὐρημάτων* and *περὶ νήσων*, who lived under Ptolemy Philopator (B.C. 222—206). 'Aristotle' and Philostephanus are quoted by Varro (apud Servium ad Verg. *Georg.* i 19) and by Pliny (*N. H.* vii 57); and it has been conjectured

¹ Abridged from Prof. J. H. Wright's article in the *American Journ. of Philology*, xii 3, 310—318.

² Polyb. *Excerpta libri* xii 5—8, and 11; Rose, *Frag.* 547²; cf. Heitz, *Verl. Schr.* p. 243, and Shute, *l. c.*, p. 39.

that Varro and Pliny took their quotations of Aristotle at second-hand from Philostephanus¹.

It was probably in the middle of the second century B.C. that excerpts from the Πολιτεῖαι were made by HERACLEIDES LEMBOS, who appears to have followed his original with an almost slavish fidelity. We have only fragments of these excerpts under the title ἐκ τῶν Ἡρακλείδου περὶ πολιτειῶν².

CICERO refers as follows to the Πολιτεῖαι and νόμιμα βαρβαρικά of Aristotle, as well as to the work of Theophrastus περὶ νόμων:—*omnium fere civitatum non Graeciae solum sed etiam barbariae ab Aristotele mores instituta disciplinas; a Theophrasto leges etiam cognovimus* (*de Fin.* v 4 § 11); but there is no proof of any direct acquaintance with the text of the Πολιτεῖαι³. In the *de Officiis*, ii 18, he quotes, as from Theophrastus, the account of the liberality of Cimon which we find in c. 27 of the Ἀθηναίων πολιτεία. In the *de Senectute* § 72 he tells an anecdote about Solon and Peisistratus without showing any knowledge of c. 14 of that treatise. Similarly, in *de Officiis*, i 75, he writes of Solon and Themistocles with reference to the Areopagus without betraying any close acquaintance with chapters 23 and 25. Whatever knowledge he possessed as to the contents of those chapters was probably obtained second-hand from his authority, Panaetius, who, as we know from Cicero himself (*de Fin.* iv 28 § 79), constantly quoted from Plato, Aristotle, Xenocrates, Theophrastus and Dicaearchus. About Dicaearchus in particular Cicero writes to Atticus in glowing terms:—in his Tusculan villa he has been reading with admiration that author's account of the constitution of Pellene, while he fancies that his library at Rome contains a copy of the Constitutions of Corinth and of Athens⁴. These

¹ Rose, *A. P.*, pp. 410, 534; Susemihl, *Gr. Litt. in der Alexandrinerzeit*, i 476.

² Heracleides Lembos, probably born at Kallatis in Pontus, was the author of an extensive compilation called Ἱστορίαι. He flourished under Ptolemy VI, Philometor (181—146). Cf. Susemihl, *u. s.*, i 503—5. (Rühl even supposes that he was the editor of the Ἀθ. πολ. in its present form.)

The author of the excerpts is, however, regarded by Rose (in his *A. P.*, p. 532) as far later in date, and as having borrowed his excerpts from Didymus (who was born B.C. 63). But the part played by Didymus in transmitting the knowledge of the Πολιτεῖαι to a later time has been much exaggerated, and the form in which the excerpts from Heracleides have reached us is hardly worthy of the industrious and intelligent

critic from whom they are supposed to have been derived.—See also Prof. Wright in *Harvard Studies*, iii 15, and Holzinger in *Philologus*, vol. 50, p. 436. *Infra*, p. 250.

³ See also Shute, *l. c.*, p. 72.

⁴ *Ad Att.* ii 2, 'Πελληναίων in manibus tenebam et hercule magnum acervum Dicaearchi mihi ante pedes extruxeram. O magnum hominem! et unde multo plura didiceris quam de Proclio. Κορυθίων et Ἀθηναίων puto me Romae habere. Mihi crede, leges;...mirabilis vir est.' Heitz, *Verl. Schr.*, p. 244, considers that these may have formed part of the βίος Ἑλλάδος of Dicaearchus. Bergk, *Rhein. Mus.* 1881, p. 113 n. 2, suggests that the reference is to the Πολιτεῖαι of Aristotle. He would alter *Dicaearchi* into *Dicaearchiae* (i.e. 'at Puteoli'); but his suggestion (with the textual alteration which it involves) seems very improbable.

Constitutions may well have been written in imitation of the earlier work ascribed to Aristotle; and the imitation may have been sufficiently close to lead to the contents of the *Πολιτεῖαι* of Aristotle becoming known to later writers through the medium of Dicaearchus¹.

It has been conjectured that many of the quotations from the *Πολιτεῖαι* in later authors were taken second-hand from the works of Alexandrian scholars such as Didymus Chalcenterus, and his successor, Pamphilus². Didymus was born in 63 B.C. and compiled a Lexicon of Tragic and Comic Diction, while among the lexicographical works of Pamphilus, who flourished in 20 B.C., was one entitled *Ἀττικαὶ λέξεις*. The scholiast on Aristophanes, *Avēs* 471, quotes Aristotle *ἐν τῇ Σαμίων πολιτείᾳ*, as well as the comic poet, Plato; and such a scholium may readily have been derived from Didymus³; but the indebtedness of later writers to this able and industrious compiler has been greatly overrated; and, now that we know of the actual existence of copies of the *Ἀθηναίων πολιτεία* at a time when it was supposed to have been hopelessly lost, there is less reason for attributing to the interposition of Didymus a knowledge of the *Πολιτεῖαι* which may easily have been derived from the work itself. It has further been supposed that some of the accounts of remarkable phenomena found in later collections, such as the *Θαυμάσια Ἀκούσματα* of various writers, may have been originally borrowed from the *Πολιτεῖαι*. Thus, Antigonus of Carystus, who probably lived in the time of Ptolemy Philadelphus, in his *Ἱστοριῶν Παραδόξων Συναγωγή* (144), quotes from Callimachus a description by Aristotle of the two fountains of the Sun in the temple of Zeus Ammon. This description may have been derived from the *Πολιτεία* of Cyrene⁴.

In the age of Augustus, the *Πολιτεῖαι* are not quoted by DIONYSIUS of Halicarnassus, who, however, refers to the *Τυρρηγῶν Νόμμος*, which formed part of the *Νόμμος Βαρβαρικά* ascribed to Aristotle⁵.

STRABO (who belongs to the same age) refers in general terms to Aristotle in connexion with Elis (Rose, *Frag.* 493⁶), Argos (482), Epidaurus (491), Tenedos (594), and Chalcis (601, 603). In a single passage (on p. 321—2), after stating that the migrations of the Leleges are attested by αἱ Ἀριστοτέλους πολιτεῖαι, he appeals to no less than four of them as his authorities, *viz.* those of the Acarnanians, Opuntians, Megarians and Leucadians. When we remember that the story of the recovery of the lost library of Aristotle is told by Strabo (doubtless on

¹ Heitz, *Verl. Schr.*, p. 244.

² Rose, *A. P.*, p. 400; Heitz, *Verl. Schr.* p. 244, and *Ar. Frag.* p. 219.

³ Rose, *A. P.*, p. 521.

⁴ Rose, *Frag.* 531³; *A. P.* p. 487;

Heitz, *Verl. Schr.* p. 245.

⁵ Rose, *Frag.* 609³.

the authority of his preceptor Tyrannion), we are not surprised at finding in his pages not a few traces of a first-hand acquaintance with the Πολιτεία. Nevertheless, the fact that only a comparatively small number of the πολιτεῖαι are noticed in Strabo has led to the supposition that he had no direct knowledge of that work¹.

PLINY the elder (23—79 A.D.) names Aristotle as his authority mainly on the geography of several of the Greek islands (Tenos, Delos, Melos and Samos), and also in connexion with Argos, Thebes and Chalcis. One of his references may be traced to the Νόμμος Βαρβαρικός. He also states that, according to Aristotle, the art of painting was introduced into Greece by *Euchir, Daedali cognatus* (Rose, *Frag.* 382³); but there is no sufficient warrant for referring this to a lost passage of the Ἀθηναίων πολιτεία. Pliny's references to Aristotle may safely be regarded as taken at second hand². This has also been assumed, but with perhaps less justice, in the case of Plutarch (c. 46—120 A.D.).

PLUTARCH repeatedly mentions Aristotle as his authority:—five times in the life of *Lycurgus*³; once in that of *Cleomenes*⁴; and twice in that of *Pericles*⁵, in passages that may perhaps be traced to the Σαμίων πολιτεία. In five instances Aristotle is named in connexion with Naxos, Tegea (twice), Troezen and Ithaca⁶; and in two others we may trace the reference to the Νόμμος Βαρβαρικός⁷. The Ἀθηναίων πολιτεία may fairly be regarded as the source of Plutarch's references to Aristotle in the lives of *Theseus*⁸, *Solon*⁹, *Themistocles*¹⁰, *Cimon*¹¹, *Pericles*¹² and *Nicias*¹³; as also of certain passages in which Aristotle is not actually named¹⁴. At this point it may be interesting to notice two good examples of tacit quotation from the Ἀθηναίων πολιτεία in the pages of Plutarch. In c. 14 § 4 of the πολιτεία we read that, with the aid of Φύη, Megacles restored the exiled Peisistratus ἀρχαῖκῶς (or ἀρχαίως) καὶ λίαν ἀπλῶς: in Plutarch's *Solon* (3 § 5) we find the phrase ἀπλοῦς...λίαν καὶ ἀρχαῖος. Again, in c. 5 § 2 of the πολιτεία, we are told of Solon, εἰλοντο κοινή διαλλακτὴν καὶ ἀρχοντα Σόλωνα: in the *Amatorius* of Plutarch (18 § 14), a passage that has not hitherto been noticed in this connexion, we find five consecutive words applied to Solon, which are identical with those

¹ Heitz, *Verl. Schr.* p. 244.

² e.g. through Philostephanus of Cyrene.

³ cc. 1, 5, 6, 28, 31; Rose, *Frag.* 533—538.

⁴ c. 9; *Frag.* 539.

⁵ cc. 26, 28; *Frag.* 577—8.

⁶ *Frag.* 559, 592, 597, 597.

⁷ *Camill.* 22, and *De Cohibenda Ira*

11; *Frag.* 610, 608.

⁸ c. 25 (*Frag.* 384).

⁹ c. 25 (*Frag.* 390 = Ἀθ. πολ. c. 7 § 1, κύρβεις).

¹⁰ c. 10 (*Frag.* 398).

¹¹ c. 10 (*Frag.* 402).

¹² c. 9, 10 (*Frag.* 403, 405).

¹³ c. 2 (*Frag.* 407).

¹⁴ *Solon*, c. 20 (*Frag.* 391), c. 25 (*Frag.* 416).

just quoted,—τοῦτον εἶλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα καὶ νομοθέτην.

In view of such instances it seems difficult to maintain the theory that Plutarch had only a second-hand knowledge of the 'Αθηναίων πολιτεία¹. He has even been charged with the incredible carelessness of keeping words such as νῦν unchanged in copying from the intermediate authorities which he is supposed to have followed. Thus, in *Solon*, c. 25, his statement that fragments of the wooden tablets on which the laws of Solon were inscribed were still to be seen in his own day (ἐτι καθ' ἡμᾶς) in the Athenian πρυτανεῖον, was regarded by Rose as a careless transcript from some such phrase in Polemon as διασώζονται δ' ἐν τῷ Πρυτανείῳ². Similarly, in *Lycurgus*, c. 28, ἐτι καὶ νῦν was held to refer to the age of Plutarch's authority Ephorus³. In the former case, at any rate, the statement of Plutarch is corroborated by the evidence of Pausanias (i 18 § 3) who, even at a later date, observes that in the πρυτανεῖον the laws of Solon εἰσὶ γεγραμμένοι. Other quotations in Plutarch are ascribed by Rose to the *Eclogae* and *Collectanea* of previous writers, such as Didymus; but this ascription is not supported by the context of the quotations themselves. Plutarch places the Πολιτεῖαι of Aristotle in the same category as the works of Herodotus, Xenophon, Eudoxus and Aristoxenus, implying that all these writers dealt with important and interesting events in a style that was at once vigorous and graceful⁴. Such is not the language of one whose knowledge of

¹ Prof. J. H. Wright, *The Date of Cylon*, p. 25, observes: 'Most of Plutarch's statements on the affair of Cylon are traceable to Aristotle's *Respub. Ath.* A comparison of Plutarch's account of pre-Solonian affairs with that of Aristotle shows, however, first, that this dependance is not immediate, and, secondly, that there is much admixture of foreign matter'...In the note he refers to 38 passages in Plutarch's *Solon* which bear resemblance to passages in Aristotle's *Respub. Ath.*, and are evidently traceable to the latter work. Only once, however, is Aristotle here named (*Sol.* 25 *ad init.*) 'A minute comparison of the wording of these parallel passages, and a consideration of the order in which they occur in the two writers, as also of extraneous matter inserted and of important and illuminating facts omitted, show that Plutarch was certainly not intimately acquainted with the *Respub. Ath.* The resemblances, the dissimilarities, and the discrepancies alike are intelligible only on the supposition that Plutarch was transcribing from some work in which

an abridgment of these parts of the *Respub. Ath.* was embodied. In transcribing from this abridgment he interpolates foreign matter, which is inconsistent with the unabridged Aristotle. The abridgment omitted the main part of cc. 2—4, also c. 13 [§§ 2, 3], as well as many minor statements. The poetical quotations of Plutarch are from a different collection; such as coincide are in a different order...Plutarch's otherwise unaccountable omission in his *Them.* of the characteristic anecdote of Themistocles, Ephialtes, and the Areopagus (*Respub. Ath.* c. 25) may be explained on the hypothesis that the copy of Aristotle's work used by Plutarch did not contain this story. In *Pericles*, Aristotle is cited, but immediately there follow statements as to Pericles which directly contradict Aristotle (cf. Ad. Bauer, *Forschungen*, p. 77, who believes, however, in a first-hand use of *Respub. Ath.* by Plutarch).'

² Preller on Polemon, p. 87.

³ Rose, *A. P.*, pp. 413, 491.

⁴ *Non posse suaviter vivi sec. Epicurum*, c. 10, εἴταν δὲ μηδὲν ἔχουσα λυπηρὸν ᾗ

the *Πολιτεία* was mainly or solely derived from second-hand sources of information.

ZENOBIUS, who flourished in the time of Hadrian (117—138 A.D.), refers to c. 28 of the *Ἀθηναίων πολιτεία*, and mentions the *πολιτεία* of Corcyra, Samos, Delphi and Methone (*Frag.*² 513, 576, 487, 552). He also names Aristotle as his authority for facts relating to Cythnus and Thebes (*Frag.*² 523, 502).

AULUS GELLIUS (115—180 A.D.) names Aristotle in connexion with Solon's law against neutrality. The law is found in *Ἀθ. πολ.* c. 8 § 5.

ARISTIDES, one of the most celebrated rhetoricians of the 2nd century (117 or 129—180 A.D.) never mentions the *Ἀθηναίων πολιτεία*, but the only poems of Solon which he quotes are extracted from those preserved in that treatise; he also paraphrases other passages from those poems and from the text of Aristotle¹.

DIOGENES LAERTIUS (towards the close of the 2nd century A.D.) twice appeals to Aristotle for facts connected with Corinth (*Frag.*² 516, 517). In the first of these passages he couples him with Ephorus. In a third passage he refers to Aristotle *ἐν τῇ Δηλίων πολιτείᾳ* (*Frag.*² 489); but, as the vague plural *φασίν* occurs in the previous context, there is no certain proof of first-hand acquaintance with the work in question. In this author, however, we have several parallels to the account of Solon given in the *Ἀθηναίων πολιτεία*².

POLLUX of Naucratis (β. 180—238 A.D.), who dedicated his *Ὀνομαστικόν* to Commodus (Emp. 180—192), quotes largely from the *Πολιτεία*, especially from that of Athens. The latter is his main authority on all points of Athenian law and antiquities³. Many consecutive lines are either transcribed or paraphrased from its pages, e.g. the epigram about Diphilus and a large part of its context in c. 7 § 4. But his debt to the *Ἀθηναίων πολιτεία*, though vast, is invariably unacknowledged, while the only passage in which he mentions the name of Aristotle in connexion with a term of Attic law, is not

βλαβερὸν ἱστορία καὶ διήγησις, ἐπὶ πράξεσι
καλαῖς καὶ μεγάλαις προσλάβῃ λόγον ἔχοντα
δύναμιν καὶ χάριν, ὡς τὸν Ἡροδότου τὰ
Ἑλληνικά, καὶ Περσικά τοῦ Ξενοφῶντος,
οἷσα δὲ Ὅμηρος ἐθέσπισε θέσκελα εἰδώς, ἣ
τὰς περιόδους Εὐδαξος, ἣ κτίσεις καὶ πολι-
τείας Ἀριστοτέλης, ἣ βίους ἀνδρῶν Ἀριστο-
ξενος ἔγραψεν, οὐ μόνον μέγα καὶ πολὺ τὸ
εὐφραῖνον, ἀλλὰ καὶ καθαρὸν καὶ ἀμετα-
μελητὸν ἔστιν.

¹ Cf. Aristides ii 360, 361 Dind., with
Ἀθ. πολ. 5 § 2, 11 § 2, 12 § 5; also p.
535—538 with *Ἀθ. πολ.* c. 12; and lastly
i p. 765, (Σόλων) φασὶ τῆς πολιτείας
καταλυθείσης λαβόντα ἀσπίδα καὶ δόρυ καθ-

ῆσθαι πρὸ τῆς οἰκίας, βοηθεῖν μὲν οὐκ ἔχοντα,
οἶμαι, ἐνδεκνόμενον δὲ ὡς ἔχει γνώμης,
with *Ἀθ. πολ.* c. 14 § 2.

² Diog. Laert. i §§ 45, 50, 58.

³ Even before the discovery of the
Ἀθ. πολ. this fact had been partially
ascertained by comparing the language
of Pollux with that quoted from the *Ἀθ.*
πολ. in the lexicographers. Cf. Sto-
jentin, *De Iulii Pollucis in publicis*
Atheniensium antiquitatibus enarrandis
auctoritate, (Breslau) 1875; and Stoewer,
in quibus nitantur auctoribus Iulii Pol-
lucis rerum iudicialium enarrationes,
(Münster) 1888.

found in that treatise, so far as it has been preserved¹. Several of the other πολιτεῖαι are, however, expressly mentioned, viz. that of Acragas (twice in *Frag.*² 476), Himera (twice in 510), Tarentum (590), Orchomenus (566), and Sicyon (580). In other passages, where Aristotle is named, the information may have been ultimately derived from the Constitutions of Cyprus (527), Rhegium (568), Syracuse (585, 589), Cyrene (529) and Argos (481), or from the *Τυρρήνων νόμιμα* (608).

ATHENÆUS, who, like Pollux, was a native of Naucratis (*fl.* c. 200 A.D.) expressly mentions the πολιτεῖαι of Aegina (*Frag.*³ 472), Delos (490), Naxos (558), Troezen (596), Thessaly (499), Methone (551), Colophon (515), Massalia (549), Croton (583), Sybaris (584) and Syracuse (588). The name of Aristotle is also mentioned in connexion with Miletus (557); and that of Timæus with reference to Aristotle's account of Locri (547), which has already been noticed⁴. Aristotle *ἐν Τυρρήνων νομίμοις* is also quoted (607). It has been conjectured that these quotations may have been taken second-hand from lexicographical works, such as the lexicon to the Comic poets compiled by Pamphilus from that of his predecessor Didymus. This is supported by the fact that on p. 499 Athenæus twice quotes the comic poet Diphilus; and, between the two quotations, inserts a reference to Aristotle *ἐν τῇ Θεσσαλῶν πολιτείᾳ* to prove that the Thessalians used a feminine form ἡ λάγυνος⁵. But a native of a country, in which, as we now know, copies of the Ἀθηναίων πολιτεία were actually in existence at the time, may well have derived much of his information from the original work. Apart from the British Museum papyrus and the fragments of the Berlin papyrus, both of which came from Egypt, we know of a third copy, which is mentioned in the catalogue of an Egyptian library of the third century A.D.⁶.

HARPOCRATION of Alexandria, the lexicographer of the Attic Orators, who is doubtfully ascribed either to the second, or (less probably) to the fourth century of our era, expressly quotes Ἀριστοτέλης *ἐν Ἀθηναίων πολιτείᾳ* in no less than 50 places. A lost passage in the same treatise is less precisely cited with the phrase *ὡς Ἀριστοτέλης φησὶ* (381). There are nine other πολιτεῖαι which he mentions by name, those of Arcadia, Elis, Thessaly, Cythnus, Cyprus, Sparta, Massalia, Opus and Pellene. The quotations from the Ἀθηναίων πολιτεία are so numerous and so precise, that it may fairly be assumed that they were taken at first-hand from the treatise itself.

CLEMENT of Alexandria (*ob.* 220 A.D.) quotes the πολιτεῖαι of

¹ Pollux viii 62, *παράβολον* (*Frag.*³ 456); cf. iii 17, *τριτοπάτωρ* (*Frag.*³ 415).

² p. xx.

³ Rose, *A. P.*, p. 471, *Frag.* 499³.

⁴ Zündel in *Rhein. Mus.* 1866, p. 432.

Phocaea and Locri, and refers in more general terms to that of Sparta (*Frag.* 599, 548, 535); while AELIAN (*fl.* 250 A.D.) tells the story of the usurpation of Peisistratus in language almost identical with that of c. 14 of the *Ἀθηναίων πολιτεία*.

HESYCHIUS of Alexandria, who belongs to the end of the fourth century, or (more probably) to the fifth, is a compiler from earlier authorities, the best of whom is Diogenianus of Heraclea (of the time of Hadrian). The lexicon of Hesychius expressly quotes the Constitution of the Opuntians (*Frag.*² 563), and names Aristotle as the authority for statements respecting Cyrene (528), Corcyra (513) and Sparta (541). The second of these items may, however, be traced back to Zenobius. Not a few articles are ultimately founded on the *Ἀθηναίων πολιτεία*, though neither the work is named, nor its author. Such are the articles on ἀδύνατοι (*Ἀθ. πολ.* 49 § 4), ἀπὸ συμβόλων δικάζειν (59 § 6), Βουζύγης (*Frag.* 386), βουλευσεως ἔγκλημα (*Ἀθ. πολ.* 57 § 3), δήμαρχοι (21 § 5), διαμετρημένην ἡμέραν (*col.* 35, 3), ἱππᾶς (7 § 4), and ἵππου τροχός (49 § 1). To the same source may be traced the articles on Διονύσου γάμος and Ἐπιλύκειον (3 § 5), and also on ἔδραι βουλῆς (30 § 4), and χαλκοῦν πινάκιον (63 § 4).

PHOTIUS, the patriarch of Constantinople (815—891 A.D.), states that excerpts from the *πολιτεῖαι* of Aristotle, viz. from those of Thessaly, Achaia, Paros, Lycia and Ceos, were included in the twelfth book of the historical selections of Sopater (sixth cent.)¹. In his *Lexicon*, the *Ἀθηναίων πολιτεία* is mentioned in the articles on ναυκραρία (*Ἀθ. πολ.* 8 § 3), and ὑπὲρ τὰ Καλλικράτους (28 § 3): the latter may, however, be traced back to Zenobius. The *πολιτεῖαι* of Sparta, Samos and Ithaca are expressly cited (*Frag.*² 586, 575, 509); and Aristotle is named in several articles³, including one on πελάται (*Ἀθ. πολ.* 2 § 2). During the embassy 'to the Assyrians' the patriarch perused and epitomised no less than 280 volumes, many of which are now lost; but there is nothing to prove that the *Ἀθηναίων πολιτεία* was included among them.

TZETZES of Constantinople (born c. 1120 A.D.) refers to the *πολιτεῖαι* of Orchomenus (*Frag.*² 505) and Ithaca (504 and 508). Of the last two references the former is also found in the *Etymologicum Magnum*; so that possibly all three may have been borrowed from earlier sources. The lexicon last named, *s.v.* ἱεροποιοί, expressly quotes Aristotle ἐν τῇ *Ἀθηναίων πολιτείᾳ* (c. 54 § 6), and has a short article as δατηγῆς (*Frag.* 422) which may be traced to Harpocration (c. 56 § 6). It also names Aristotle in connexion with Cumae (*Frag.* 525), and we know that this article comes ultimately from the *Πολιτεῖαι*.

¹ Phot. *Bibl. Cod.* 161, p. 104 b 38, quoted by Rose, *A. P.* p. 401, *Frag.*² p. 258.

² *Frag.*² 496, 541, 593, 554.

EUSTATHIUS of Constantinople, archbishop of Thessalonica (who died c. 1198) refers to the *πολιτεῖαι* of Sparta (545) and Ithaca (506), and names Aristotle in a passage which comes from the *πολιτεία* of Thessaly (437). But there is no proof of direct acquaintance with any of the *πολιτεῖαι*. His only notice of the *Ἀθηναίων πολιτεία* (c. 44 § 1) is borrowed from Telephus of Pergamos who lived under Hadrian and (among other works) wrote on the Laws and Customs, and on the Lawcourts of Athens.

Thus far we have surveyed in chronological order the writers who, either at first or second hand, quote from the *Πολιτεῖαι* of Aristotle. We have still to notice a few anonymous citations.

(1) The unknown author of the *ὑπόθεσις* to the *Areopagiticus* of Isocrates, a Christian writer of perhaps the sixth century, is the only person who quotes the anecdote in c. 25 respecting the part ascribed to Themistocles in the overthrow of the Areopagus¹.

(2) The *Scholia* to Aristophanes refer to the *Ἀθ. πολ.* in no less than thirteen places². They also expressly quote the *πολιτεῖαι* of Sparta and Samos, and name Aristotle in connexion with Orchomenos, Corcyra and Cyrene. Many of the *Scholia* on Aristophanes are derived from Aristophanes of Byzantium and his pupils Callistratus, Aristarchus and Didymus; as well as from the Pergamene scholars, Herodicus and Asclepiades. The earlier *Scholia* were drawn up in the 3rd century A.D.; while the later *Scholia* go down as far as the age of Thomas Magister and Triclinius (end of 13th cent.).

The *Scholia* on Sophocles cite Aristotle for a fact mentioned in *Ἀθ. πολ.* 60 § 2; those on Euripides quote from the *πολιτεῖαι* of Sparta (*Frag.* 544) and Thessaly (498), and name Aristotle in connexion with terms relating to the *πολιτεία* of Cumae (524—5). Those on Homer give us evidence as to the *πολιτεῖαι* of Iasos and Samos (503 and 571); those on Pindar cite the *πολιτεῖαι* of Sparta, Syracuse and Gela (*Frag.* 532, 587, 486), and name Aristotle in connexion with Aegina, Rhodes, Crete, Acarnania, Opus and Locri. Those on Plato quote Aristotle for facts which may be traced to the *πολιτεῖαι* of Athens (385) and Thessaly (498). Those on Apollonius Rhodius refer to the *πολιτεῖαι* of Samos and Samothrace, Sinope and Tegea, Corcyra and Kios in Mysia; those of Theocritus refer to Croton, Ceos and Crete³. The *Scholia* on

¹ Rose, *A. P.*, p. 423, no. 359; *Frag.*

404².

² *Ἀθ. πολ.* 7 § 1 (**Av.* 1354); 15 § 3 (**Ach.* 234); 19 § 3 (**Lys.* 665), § 4 (*Lys.* 1153), § 6 (*Vesp.* 502); 21 § 5 (*Nub.* 37); c. 28 § 3? (*Vesp.* 684); 34 § 1 (*Ran.* 1532), § 3 (*Vesp.* 157); 34 ult. (*Vesp.* 157); 54 § 2 (*Vesp.* 691); col. 32, 8—15 (**Plut.* 278); col. 36, 3—9 (*Æg.*

1150). In four of these places (marked with an asterisk) the title is given in full: *Ἀρ. ἐν Ἀθ. πολ.*; in two (*Vesp.* 157, 684) the form is *Ἀρ. ἐν πολιτείαις*.

³ In the *Schol.* on Theocr. iv 7 we are told that the Olympic crown *ἐκ τῆς καλλιστοῦς ἢ καλλιστεφάνου ἑλαίας γενόμενος δίδοται, ἥτις ἀπέχει σταδίων ὀκτώ ὡς φασιν* (sic) *Ἀριστοτέλης*. This is less

Aeschines contain no express mention of Aristotle, but they include several items of information ultimately derived from the 'Αθηναίων πολιτεία¹.

It will be observed that the references to the Πολιτεῖαι, which have now been enumerated, extend over a period of no less than fifteen centuries, and attest different degrees of acquaintance with the work in many parts of the ancient world, chiefly in great centres of learning, such as Alexandria and Constantinople. In the case of the 'Αθηναίων πολιτεία, the exact degree to which the text of the treatise was known to those who refer to it, may in general be traced in the *Testimonia* which are printed below the critical notes in the present edition. All the external evidence is in favour of ascribing the Πολιτεῖαι to Aristotle.

§ 4. *The later literature of the Πολιτεῖαι.*

After the revival of learning in Italy it was Francesco Patrizzi who, in the course of a calumnious attack on the personal character and philosophical authority of Aristotle, unconsciously did some little service to the cause which he impugned by investigating the earlier sources of information as to the lost works of Aristotle. In his *Discussiones Peripateticæ*, published in 1571 at Venice, and reprinted ten years later at Basel, he made the first attempt to collect their fragmentary remains². Patrizzi's collection was included in Casaubon's Aristotle (1590), and in 1593 a more comprehensive edition was promised by Casaubon himself³. The lost πολιτεῖαι are also mentioned by the learned Selden⁴, but meanwhile Casaubon's promise remained unfulfilled. The importance of the fragments was noticed by Niebuhr⁵ and others.

It was not until 1827 that C. F. Neumann, then living at Munich, published his *Aristotelis Rerumpublicarum Reliquiæ*, including fragments from 50 of the πολιτεῖαι, the number traced to the 'Αθηναίων πολιτεία being 59 in all. In 1843 a similar collection was published by H. A. Van Dyck at Utrecht. These were superseded by Carl Müller's edition in the *Fragmenta Historicorum Graecorum*, Paris (Didot), 1848, in which the editor says of Neumann's work: *qui quidem libellus nullius nobis usus esse potuit: tam supina est auctoris negligentia*. The total number of πολιτεῖαι in this new collection is 95, and the fragments of the 'Αθηναίων πολιτεία have now risen in number to 74.

This collection served as the foundation for a still more extensive

likely to have been derived from the θαυμάσια ἀκούσματα than from the πολιτεία of Elis.

¹ 'Αθ. πολ. 28 § 3, 57 § 3, 59 §§ 1, 2.

² Hallam, *Lit. of Europe*, ii 6, ed.

1854; Heitz, *Verl. Schr.*, p. 1.

³ Note on Diog. Laert. p. 76, ed. 1615.

⁴ *De jure naturali &c.*, Opera 1174—5.

⁵ *Hist. Rom.* i 20, p. 12 of 3rd Eng. ed.

work by Valentine Rose. In his *Aristoteles Pseudepigraphus* (1863), we have 213 fragments, 89 of which are assigned to the 'Aθ. πολ. Rose's second edition of these fragments was included in Vol. v of the Berlin edition of Aristotle (1870), with three new fragments (445, 470, 511) from the *πολιτεῖαι* of Delphi, Corcyra and Methone published by a French scholar from a MS of Zenobius discovered on Mount Athos¹. Lastly, in 1886 Rose's third edition was published by Teubner; the number of fragments is now 223, and of these 91 are traced to the 'Aθ. πολ., the two new fragments being no. 413 and 429 (corresponding to c. 3 § 5 and 52 § 1).

Meanwhile, in 1869, the fragments had been edited by Emil Heitz, the able author of *Die Verlorenen Schriften des Aristoteles* (1865). This edition was practically simultaneous with the second edition by Rose which, although printed in 1867, was not published until 1870.

In the case of the more important *πολιτεῖαι* and especially in that of Athens, the substance of these fragments has been not unfrequently set forth by modern scholars in various degrees of fulness. Thus Carl Müller (FHG ii 104) supplies an epitome of the Fragments on Athens; and Rose, a brief digest in the form of a table of contents². But the most successful endeavour to give life to these fragmentary remains is to be found in the Appendix to the important work of Oncken on the political teaching of Aristotle³. The fragments are there discussed in their historical bearing, and the scattered facts contained in them presented in a consecutive order and in an interesting form. The introduction to the analysis of the fragments closes with some valuable criticisms to the following effect:—

The method of dealing with the history of Athens which was pursued by Aristotle and his pupils must be regarded as marking the beginning of a new epoch. Without in any way undervaluing the influence of the contemporary school of Isocrates, as represented by Ephorus, Theopompus and Androtion, we may say without exaggeration that the picture, not only of the political life of Athens down to the overthrow of her freedom, but also of most of her statesmen, which became permanent in the literary tradition of later ages, was in its leading traits first delineated by the school of Aristotle and his followers.

The analysis concludes with the following remarks on the second part of the 'Aθηναίων πολιτεία:—

Even a hasty glance at all these details gives one an impression of the extraordinarily valuable store of authentic facts here gathered by the industry of Aristotle. He has presented us with a description of the very subjects which the Athenians themselves did not deem worth the trouble of describing, since the knowledge of these de-

¹ E. Miller, *Mélanges de littérature grecque*, Paris, 1868; p. 369.

² *A. P.*, p. 402.

³ *Die Staatslehre des Aristoteles in Historisch-Politischen Umrissen*, vol. ii (1875), pp. 410—528.

tails of every-day life was for themselves the merest matter of course. In Aristotle the scientific instinct of the genuine investigator was blended with the natural curiosity of the foreigner; and this double interest served to add a fresh keenness to his perception of what posterity would deem to be best worth knowing. For later generations his *πολιτεία* became a veritable treasure-house of accumulated learning. Things that are only incidentally noticed by the orators and poets of the time, as being perfectly familiar to every one, are here narrated, described and elucidated by Aristotle for the benefit of all of those to whom this information was unknown. It was an important and an imperishable service. It was also one which was the natural result of his peculiar method as an investigator. To display the various members of the living body of definite fact, to separate all the complex framework into its component parts, to trace the sequence of a series of results as they came into being, to describe for after ages what was regarded by contemporaries as no less obvious than their daily meat and drink,—to do all this was thoroughly characteristic of Aristotle. It is more than enough to prove the truth of the opinion that Aristotle is above all others the scientific investigator of the Hellenic idea of political life.

Thus far we have dealt with laborious collections of the merest fragments of the *Πολιτεία*, and with one vivid commentary upon the most important of the series. Meanwhile, the original work was deemed to have vanished as completely as the lost decads of Livy. Neumann, in the *Prolegomena* to his edition of the fragments, laments the loss in the following terms: *hec amissum est in sempiternum praeclarum opus, nisi e palimpsestis quibusdam fortasse eruatur*. In the *Bibliothèque Orientale* of Herbelot (p. 971), mention is made of an Arabic translation of the work, but the hope inspired by this statement remained unfulfilled¹. To cherish such a hope, even for a moment, was in 1865 denounced as folly².

§ 5. *The Berlin Fragments of the Ἀθηναίων πολιτεία.*

In the year 1880 the interest of scholars was aroused by the announcement that, among the fragments of *papyrus* found in the Fayoom near the ancient Arsinoë, and acquired for the Egyptian Museum at Berlin, there were two small pages with writing on both sides. They were skilfully deciphered by Blass, and a comparison with other *papyri* led

¹ The title of the alleged translation is *Ketab Siassat Almoden* (the book of the government of States). Herbelot's authority is Haji Khalfa, who died in 1658. In Fluegel's ed., vol. v p. 97, no. 10, 203, Haji Khalfa says that, in the book on 'the Government of States,' Aristotle mentions 171 great States. He distinguishes this book from the *Politics*, and says that the latter was translated into Arabic, which perhaps implies that the 'Government of States' was not. Part of this statement is doubtless derived from the list of Aristotle's writings

in Ibn Abi Useibia, which includes 'a book about the Government of States and the number of the nations, in which he mentions 151 great States' (ed. Müller, 1884, p. 68). As this list is confessedly taken from a Greek catalogue by Ptolemy (see *supra* p. xvii), we have no right to assume that the Arabs possessed the book. It is not at all the kind of book that was likely to interest them. For the substance of this note I am indebted to Prof. W. Robertson Smith.

² Heitz, *Verl. Schr.*, p. 230.

to their being provisionally assigned to the second century A.D. The first fragment contained on one side (I a) the long passage in Iambic verse quoted by Aristides from the poems of Solon; on the other (I b), a passage in prose on the archonship of Damasias. The second fragment had on one side (II a) an account of the reforms of Cleisthenes; and on the other (II b), a passage on the ostracism of Megacles and Xanthippus, with some mention of the mines at Maroneia. So imperfect were the indications given by the context that Blass identified Damasias as the archon of 639—8, instead of the archon of 582—1 and 581—0. The institution of the nine archons seemed to be mentioned *after* the extract from Solon. It thus appeared impossible to attribute the fragments to a historical work written in chronological order, such as that of Ephorus or one of the writers of 'Αρθίδες. But Theopompus was known to have closed the tenth book of his *Philippica* with an excursus on the demagogues of Athens. This (as Blass thought) might well have begun with some account of Dracon and Solon, followed by a digression on the early history of the archonship and by notices of various statesmen such as Megacles, together with some observations on the institution of Ostracism and the reforms of Cleisthenes. It was accordingly conjectured that the newly discovered fragments belonged to Theopompus.

Here the matter rested for a very short time. The article by Blass was published in *Hermes* in October, 1880. The very next number of the *Rheinisches Museum* contained a brilliant contribution by the veteran scholar Bergk, who was then in his 69th year and had just completed the fourth edition of his *Poetae Lyrici Graeci*, and whose attention was perhaps mainly drawn to the fragments because they included fresh evidence on the poems of Solon. Bergk pointed out that the passage on Cleisthenes corresponded with a scholium on Aristophanes, *Nubes*, 37. The papyrus as deciphered by Blass had the following letters:

— — — ΑΘΗΝΑΙΟΙC
— — ΧΘ . . . ΕΔΕΚ • ΔΗΜΟΙ
— — ΕΠΟΜΕΝΤΑΝΤ • C • [ΝΑ
— ΤΟ • C ΔΗΜΟΥCΑΝΑ • • ΩΝ

With the help of the *Scholium* Bergk restored the second and following lines thus:

κατ[έσ[τησ]ε δὲ κ[αί] δημα-
χοὺς τὴν αὐτὴν ἔχοντας] ἐπίμελειαν τ[οῖς] πρ[ό-
τερον ναυκράροις καὶ τοῖς] δήμους ἀντ[ί] τῶν
ναυκραριῶν ἐποίησε]

This *Scholium*, although introduced by the words 'Ἀριστοτέλης δὲ περὶ Κλεισθέωνος φησί, had not found its way into either of Rose's previous editions of the fragments, its place having been taken by a less accurate transcript in the lexicon of Harpocration (Rose, 359¹); but it is duly cited in the edition by Heitz (no. 19 = 388).

In addition to the proof supplied by this citation, the internal evidence of the style of these scanty fragments was enough to convince Bergk that the prose portions could not have come from any other work than the lost *πολιτεῖαι* of Aristotle¹. But Bergk could not believe that so long a passage of poetry as the fragment of Solon could have been cited in the 'Ἀθηναίων πολιτεία. He accordingly suggested two alternative solutions: either the poem was an interpolation inserted in a complete copy of the 'Ἀθηναίων πολιτεία by a copyist who desired to illustrate the reforms of Solon by transcribing the poem, or the work consisted of selections from various writers on the constitution of Athens.

The Berlin fragments were further discussed by Landwehr, who published a transcript and a restoration of the text in 1883; which he afterwards revised and corrected in the *Philologus* (Suppl. Bd. v 195). They were also the subject of an able paper by Diels in 1885². According to his view the fragments are simply two loose pages of papyrus filled with transcripts from the 'Ἀθηναίων πολιτεία by some schoolboy of Arsinoë. Damasias is rightly identified as Damasias II, and many other points are discussed in a masterly manner. It is also maintained for the first time that all the four pages belong to the same work, and that the 'Αθ. πολ. of Aristotle. The paper includes a convenient reprint of the various restorations of the fragments, and also a lithographed facsimile.

¹ p. 90, 'Wohl aber erinnert die Behandlungsweise an Aristoteles: selbst ein blödes Auge wird erkennen, dass der Verfasser vollkommen mit seinem Gegenstande vertraut ist, dass er zwischen Wesentlichem und Unwichtigem sehr wohl zu scheiden weiss, dass hier nicht ein buchgelehrter Grammatiker zu uns spricht, sondern ein erfahrener Mann, der mit scharfen Blicke das politische Leben zu betrachten gewohnt war, der sein histo-

rischer Sinn vor jeder Befangenheit des Urtheils bewahrte. Nicht minder erinnert die schlichte und schmucklose, nur auf die Sache gerichtete Darstellung an die Weise des Begründers der Staatswissenschaft. Auf mich wenigstens machten diese Bruchstücke sofort den Eindruck, als hätte ich Reste der Aristotelischen Politie der Athener vor mir.'

² *Philos. u. Hist. Abhandlungen*, Berlin Acad., 1886, ii pp. 1—57.

§ 6. *The British Museum papyrus.*

Thus far the student of Aristotle's *Πολιτεῖαι* had to found his conclusions as to the character of the work solely on meagre fragments laboriously collected from many sources, and on two barely legible and most imperfect scraps of *papyrus* in the Museum at Berlin, when suddenly, on the morning of Monday, Jan. 19, 1891, the readers of *The Times* were startled by the announcement that a MS containing the greater portion of Aristotle's *Constitution of Athens* had been acquired by the British Museum as part of a collection of papyrus rolls from a place in Egypt which, for adequate reasons, it was not expedient to specify more particularly. It was not until the rolls had been examined at the British Museum that it was found that three of them contained what was identified as the text of the *Ἀθηναίων πολιτεία*.

The secret of the discovery had been well kept: and by its first public announcement the interest of scholars at home and abroad was roused to a high pitch of expectation. Only eleven days later, on Friday, Jan. 30th, the printed text appeared under the editorship of Mr F. G. Kenyon, Fellow of Magdalen College, Oxford, Assistant in the Department of MSS, British Museum. It was soon discovered that, although the text was described in the preface to the *editio princeps* as 'in good condition' and requiring 'little emendation', there was a still deeper truth in the editor's fuller statement on a later page:—'There remain not a few passages which still require emendation by conjecture, in some of which the reading of the MS is completely lost, while in others a few faint traces of letters remain, which will serve as tests of the accuracy of any proposed emendation'. A vast number of conjectures of very various degrees of merit were accordingly proposed by English scholars in the pages of the *Athenaeum*, and the *Academy*, and the substance of these, together with the criticisms of continental scholars, were reprinted, with many other suggestions, in successive numbers of the *Classical Review* (March to July, 1891). Many further contributions to the criticism and elucidation of the treatise have since appeared. A conspectus of the literature of the subject is reserved for a later section (§ 10).

Early in March the Trustees of the British Museum published a Facsimile of the *papyrus*. The immediate, and indeed the permanent, result of this publication was a widely expressed recognition of the remarkable skill with which Mr Kenyon had accomplished the task of deciphering the MS. In those portions of the MS which are most easily read in the original, the facsimile is an adequate substitute for the

papyrus. It is mainly, though by no means exclusively, in the places where the papyrus is rubbed, and the remains of the letters only faintly visible, that it is absolutely necessary to resort to the original.

The MS consists of four separate rolls with the letters A, B, Γ, written at the beginning of the first three:

I	7 feet, 2½ inches, in length, by about 11 inches in height, including Columns	1—11
II	5 " 5½ " " " " " "	12—24
III	3 " " " " " " "	25—30
IV	about 3 feet (originally) in length, by about 10 inches in height, including remains of Columns	31—37

Total length about 18 feet, 8 inches¹.

The MS is written in four hands: (1) extends over Columns 1—12, and is described as 'a small semi-cursive hand, employing a large number of abbreviations of common syllables.'

(2) begins with Col. 13 and ends in the middle of Col. 20. This is described as an 'uncial of fair size,' plain but not ornamental, employing no contractions, and making a large number of blunders in matters of spelling.

(3) is a 'straggling' and often ill-formed semi-cursive hand, of larger size than the first. This extends from the middle of Col. 20 to the end of Col. 24; and also includes the mutilated remains of Cols. 31—37.

(4) closely resembles (1), and 'employs many of the same abbreviations,' but is generally finer and more upright, and possesses some distinctive forms of letters. This extends over Cols. 25—30².

Abbreviations are not used uniformly by all the four hands. They are chiefly confined to hands (1) and (4), while they are very sparingly used by (3), and not at all by (2). Hence it is obvious that, in restoring the text, it is solely in Cols. 1—12, and 25—30, that we can assume the existence of abbreviations. They can only be admitted within very narrow limits in Cols. 20—24, and 31—37; while they cannot be admitted at all in Cols. 13—20.

(1) and (4) have many abbreviations in common; but at the same time each of the two has some that are characteristic of itself alone. This will be made clear by the following classified list³.

¹ According to Pliny (*N. H.* xiii § 78) the two best kinds of papyrus were thirteen digits in height ($13 \times 71821 = 10.4653$ inches), rather less tall than rolls I—III, but rather taller than IV.

² Mr Kenyon's *Introduction*, p. xi. The proposal to identify hands (1) and (4), and hands (2) and (3), made by Kaibel and Wilamowitz on pp. v—vi of

their preface, is refuted by Mr Kenyon (ed. 3 p. xii) whose opinion is justly confirmed by Blass (*Praef.* iv—vii).

³ Mr Kenyon has already given a general list on the last page of his *Introd.* I have endeavoured to classify this list, and to represent approximately the shapes of the letters used in the *papyrus*.

hands (1) and (4)		hand (1) only
† = γάρ	κ = παρά and παρα-	ο = -οι, -ου, -ον, -οις, -ους
Δ' = δέ and -δε-	κ' = περί	κ' = περί
Δ = διά and δια-	ζ = σύν and συν-	ϑ = -σθαι
\ = εἶναι	τ' = -ται	ϑ' = χρώσος, -ου, -ον, -ων, -οις
/ = ἐστί	τ = τήν and -την	ω = -εως
κ = καί and -και-	τ' = τῆς and -της	
μ' = μέν and -μεν-	τ' = τῶν and -των	
ω = μετά and (in 1) μετα-	ω = -ων	
ο = -ος		
ό = οὖν and -ουν-		
hand (3) only	hands (3) and (4) only	hand (4) only
γ' = ὅπερ	κ' = -καί- and in (3) καί	δ' = ἀρα-
		ϑ = ἐστί
		ϑ = -σθαι
		γ' = ὅπό and ὅπο-

Hands (1) and (4) have not only certain distinctive abbreviations, but they also use with different degrees of frequency the abbreviations that are common to both. Thus the symbol for εἶναι is found fourteen times in (1), and only five times in (4); that for ἐστί four times in (1), and twenty-eight times in (4); that for συν seventy times in (1), and six times in (4); that for -ουν three times in (1), and sixteen times in (4); that for -ται twenty-four times in (1), and fifty-seven times in (4); and that for -ος is far more frequent in (1) than in (4)¹. These considerations prevent us from identifying the two hands. There are also certain distinctive differences in the shapes of the letters used by each; and the same remark applies to hands (2) and (3)².

Final syllables are often omitted in (1) and (4). Thus φν^λ is found in both hands for φυλῆς and φυλήν, and βον^λ is used for all the cases of βουλή in the singular. Hand (3) has χωρ for χώραν (col. 22, 2); τρὸ for τρόπον (*ib.* 11) and απογρα for ἀπογραφάς (*ib.* 35). An abbreviation for αυ is exceptionally used for αὐτήν (in col. 9, 8); and a symbol for δραχμή, found in cols. 21, 35 and 26, 54, is common to hands (2) and (4). Numerals are denoted by the ordinary symbols in all hands alike³.

¹ For the details of these statistics, see van Leeuwen's *Observationes Palaeographicae* in the Dutch edition, pp. 170—7.

² See the alphabets reproduced in *Class. Rev.* v 183.

³ The use of the above abbreviations, and their distribution over the several hands, may be illustrated by the following examples. For convenience, ordinary type is here used, and the words are separated from one another.

Abbreviations in (1), also found in (4): —σέβη (col. 1, 3); π'χωρησαντ' (1, 20); τα μ'ό τ'τασ αρχας (1, 35); τ'τ'χρεων αποκοπη (2, 31); ατιμων \ κ'τ'πολες (3, 32);

δκα ετ ου γ' οεσθαι δικον \ (4, 6); μεμηνη \ π' αυτ' (4, 15); π'τ'δνεμεσθ τ' γην (4, 21); μ'τ'τ'νομων θεσιν (5, 23); ου γ' ενδεχεται (7, 2); μ'πεμπομος (7, 14); αρμοδιο (7, 25); σ'παντα σ' ος (8, 21); δ'κα β τ' π' το αστυ (9, 4); κ'τ'σ'μαχω (10, 12); \ κ' δικος (11, 1); \ τωκ π'κλει (11, 27); επει δ' μ'τ' εν σικελ γεγομην δ'φοραν (11, 46); σ'γραφειν δ'ανηγωντ', i.e. συγγράψειν α' αν ηγωνται (12, 3).

In (4), also found in (1): —κβαλλεται (25, 25); δραχμω (27, 1); αρχοντο (27, 23); π'αιρειται (29, 18); δ'τιθησι (29, 23); μ'τ'βουλ (29, 50); π'τιθενται (30, 41).

In (1) alone: —ο = ου in 15 places, e.g.

Iota adscriptum is hardly ever omitted in (1); hardly ever inserted in (2); (3) and (4) do not follow any fixed rule¹.

ε and ι are frequently interchanged, especially in (2); some of these mistakes are however corrected by hand (1). But even in (1) we sometimes have ι for ε, e.g. *πισωστρατος* in three places (Col. 5, 28, 33, 37), besides four other instances. In (2) there are as many as 41, e.g. *αφιλον* for *ἀφιλον* (Col. 16, 4); in (3) and (4) there are only four and five respectively. Conversely we have ε for ι in all the four hands, the number of instances being 14, 11, 15 and 2 respectively. Both of these mistakes are combined in *πολειτιαν* (Col. 13, 3) and *πολειτίας* (14, 1; 16, 26)².

There is nothing resembling a mark of punctuation, except the short horizontal line in the margin (Cols. 1, 40; 2, 4; 7, 15, 30; 11, 5, 31; 13, 15). In some cases this may be a true *παραγραφή*, as in Col. 1, 40 and 8, 21 f, where it coincides with the natural end of a chapter; in others (as suggested by Blass³) it may denote a corruption; at any rate this appears more probable than van Leeuwen's⁴ opinion that it draws attention to an important or striking statement.

There are no breathings or accents, except in *εκμαρτυρῶν* (Col. 3, 9), *νομοφυλακεῖν* (3, 26), *δήμον*? (4, 29), *ἃ* (12, 3) *ἡγῶνται* (13, 11) and *αὐτου* (29, 46). In some of these cases they are apparently added to prevent ambiguity of meaning⁵.

Blunders made by hand (2) are occasionally corrected, apparently by hand (1), or possibly (4). It has been suggested that the transcript was begun by some one who desired a copy for his own use, and, after writing out the first twelve columns, entrusted to others the task of copying the remainder, being content to revise their work and to correct their misspellings and their other mistakes⁶. The editors of the first German edition, Kaibel and von Wilamowitz⁷, hold that all the corrections are due to hand (1) which they identify with (4). To account for the fact that many blunders are left uncorrected, they assume that the

αρεῖο παγῶ, (2, 9); = *ov* in 44 places, e.g. *θητικο*, (3, 3); = *α* in 8 places, e.g. *δισχιλυο* (10, 17); = *ois* once, *αλλο* (2, 33); = *ous* in 16 places, e.g. *κλεισθενο*, (12, 8); *ε* π (8, 9).

In (4) alone: —// = *ελοι* (in 20 places, e.g. twice in 27, 11 and 28, 41); *δ* = *δπδ* (26, 19, 30; 27, 20; 28, 24); *σθ'* = *-σθαι* in 16 places, e.g. *δυνασθ'* (26, 9); *δ* = *δπδ* in 26, 19 and 30; 27, 20; 28, 24; also = *δπδ* in *ὕψιγων* (26, 52); *δ* = *δνα* in 13 places, e.g. *ἀβηραι* 30, 3.

In (3) alone: *δ* = *δπέρ* twice 21, 24 and 23, 22 (cf. 22, 44). (3) *κ* = *κα* (22, 13 *bis*;

23, 22); = *κα* in *αναγκῶν* (23, 14). *χωρ* = *χώραν* (22, 2); *τροθ* = *τρόπον* (22, 11); *απογρα* = *ἀπογραφάς* 22, 35. Final *ν* above last letter of word, seven times, cf.

p. 151, n. c. *κ* also = *κα* in (4), 27, 17.

¹ Van Leeuwen, *l. c.* p. 165.

² Van Leeuwen, *l. c.* p. 166.

³ *Praef.* p. xi.

⁴ *l. c.* p. 166.

⁵ Mr Kenyon's *Introd.* last page; and van Leeuwen, *l. c.* p. 167.

⁶ Mr Kenyon's *Introduction*, p. xi.

⁷ *Praef.* p. vii.

text depends on two earlier mss, one of them much more accurate than the other¹. Blass however, holds, with apparently greater probability, that there are several correctors: all the four hands correct some of their own mistakes; and one or more of them correct the work of the rest, not to mention the possibility of a revision independent of all the four. The same critic divides the 'corrections' into five groups, the most important of which he prefers to regard as *variae lectiones* which were recorded as such in the ms from which our *papyrus* was copied².

The process by which the *papyrus* plant was made into material for writing was as follows: the tall stem had its rind stripped off and the pith cut with a sharp instrument into broad slices of extreme thinness and considerable length. These were laid in long strips on a flat board; across these were placed in the opposite direction and touching one another, a number of short strips corresponding in length to the proposed height of the roll. The upper and lower surfaces were made to adhere to one another by means of the slightly glutinous sap of the pith or (failing that) by means of paste. The long scroll thus formed was thereupon smoothed down with an ivory instrument or a shell³. The proper side for writing is that on which the horizontal strips allow of the pen running freely without traversing the frequent joinings of the successive parallel strips of papyrus. Thus, the British Museum papyrus of the first three speeches of Hyperides is written entirely on what may be called the 'horizontal' side, *i.e.* that on which the strips of *papyrus* run in a horizontal direction. If any writing is added on the back, it may be described as written on the 'vertical' side, that on which the strips run vertically and overlap one another at their edges. After the front of a scroll has been filled, the back is not unfrequently used for some other writing on a totally different subject. For example, the British Museum papyrus of the Funeral Oration of Hyperides has a Greek horoscope on one side, and that the 'horizontal,' or right side; while the speech of Hyperides is written on the 'vertical,' or wrong side. Similarly the *Ἀθηναίων πολιτεία* is written on the vertical, or wrong side, technically called *verso* (or 'reverse') as opposed to *recto*. It may be inferred that the text of any author so inscribed on the back of the scroll is not only later in date than that on the other side; but also that it has been copied solely for the private use of the owner, and not for publication or for preservation in a public library⁴.

On the horizontal side of the papyrus of the *Ἀθηναίων πολιτεία* are

¹ *Praef.* p. ix.

² Blass, *Praef.* pp. viii—xi.

³ Martial xv 209, 'Levis ab aequorea cortex Mareotica concha Fiat: inoffensa

currit harundo via.' Cf. Blümner's *Technologie*, i 308—325.

⁴ U. Wilcken, *Hermes* 1887, p. 487—492, *Recto oder Verso*.

the accounts of receipt and expenditure drawn up by a bailiff on a private estate in the eleventh year of Vespasian (from Aug. 78 to June 79 A.D.)¹. After (but probably not very long after) the time when the accounts had ceased to be valuable, the other side was used to the extent of a column and a half for the transcription of an argument to the *Midias* of Demosthenes²; the latter was then struck out, the roll turned upside down and the 'Αθηναίων πολιτεία written on it, beginning at the other end of the roll. The ms has been assigned to 'the end of the first century of our era or, at latest, the beginning of the second,' and this opinion is confirmed by several dated documents of the first and second centuries which have come to light since the first publication of the *papyrus*³.

§ 7. *Date and Authorship of the 'Αθηναίων πολιτεία.*

The date of the original composition of the treatise is determined by internal evidence. The system of electing *Strategi* for special departments of military duty, which is recognised in c. 61 § 1, was introduced after B.C. 334. Hence the work was written later than that date. The latest date expressly quoted in it is the archonship of Cephisophon, B.C. 329—8 (c. 54 § 7). Again, since in c. 46 § 1 mention is made of triremes and quadriremes, and not of quinqueremes, it has been inferred that it was written before B.C. 325—4, the earliest date at which quinqueremes are named in connexion with the navy of Athens⁴. Further, it is clear that the treatise could not have been composed after 322 B.C.; because, in that case, we should certainly have had some account of the change in the constitution of Athens which was brought about by Antipater in that year⁵. Lastly, the treatise describes the Athenians as still sending officials to Samos (c. 62, 16); in the autumn of B.C. 322 that island ceased to be under the control of Athens. B.C. 322 is also the year of the death of Aristotle: hence, the evidence derived from the treatise itself shews that it was written while Aristotle was still alive; and the reasons above assigned enable us to place its date between B.C. 328 and 325.

We have already traced in chronological order the evidence of all

¹ *ἔτους ἐνδεκάτου αὐτοκράτορος Καίσαρος Οὐεσπασιάνου Σεβαστοῦ ἀργυρικῆς λόγος Ἐπιμέχου Πολιδεύκους Λημμάτων καὶ ἀναλωμάτων τῶν δι' ἐμοῦ Διδύμου Ἀσπασίου χειριζομένων* (in the original there are no accents).

² Printed in the Dutch ed. of the 'Αθ. πολ., pp. 180—185; and in Mr Kenyon's 3rd ed., pp. 215—219.

³ Mr Kenyon's *Introd.* to ed. 3, p. xvi.

⁴ Mr Cecil Torr in *Athenaeum*, Feb. 7, 1891; Bruno Keil, *Berl. Phil. Woch.* 1891, p. 614; J. H. Lipsius, *Verhandlungen der Sächs. Gesellschaft der Wissenschaften*, 28 Feb. 1891, p. 45. See note on 46 § 1.

⁵ Bruno Keil, *u. s. p.* 613.

the ancient authorities who quote the *Πολιτεία*. We have seen that the work as a whole is assigned to Aristotle by the unanimous voice of antiquity; and it has just been shewn that the *Ἀθηναίων πολιτεία* was certainly completed while Aristotle was still alive. In such a case we must necessarily accept the work as Aristotle's, unless internal evidence is conclusive on the other side. The consideration of that evidence turns partly on questions of style, partly on the relations subsisting between the *Ἀθηναίων πολιτεία* and the *Politics*. Let us consider the latter point first.

The latest event mentioned in the *Politics* is the death of Philip in B.C. 336. Had the *Politics* been finished even as early as seven years after that date, it would have been completed before the *Ἀθηναίων πολιτεία*. But, according to the opinion now prevalent among Aristotelian scholars, it was left incomplete by its author and was not given to the world in his lifetime. Books vii (iv) and viii (v) are more carefully composed than the rest, being specially marked by the avoidance of *hiatus*. It is possible that these two books represent the author's finished style; it is also possible that they owe their polish to the skill of a pupil of the Peripatetic school'. But in either case they are not of the nature of a popular work, and there is nothing to prove that they were in general circulation during the author's lifetime.

Probably the greater part of the *Politics* had already been written by the year 336. It has sometimes been supposed that the vast collection of facts relating to the *πολιτεῖαι* of various Greek states was formed to serve as materials for the theoretical treatment of the subject in the *Politics*. The *Politics*, however, were never completed, whereas the *Ἀθηναίων πολιτεία* assumed a finished form more than three years before the death of Aristotle. But it is quite possible that the *materials* for the *Ἀθηναίων πολιτεία*, and for the rest of the series, were collected before the larger part of the *Politics* was reduced to writing. The same materials would serve for both; but, in the case of the *Πολιτεῖαι*, they were embodied in a finished work for popular perusal; in the case of the *Politics*, they formed part of the preliminary studies for courses of lectures probably confined to the philosopher's immediate circle. Now, as the *Politics* may have continued to supply the theme for such lectures in and after 334, while the *Ἀθηναίων πολιτεία* was not ready for public perusal until 6 or 8 years later, we need not be surprised to find in the *Politics* no reference whatsoever to the *Πολιτεῖαι*. At a time when only fragments of the latter were known to scholars, this fact used to be quoted in proof of the spuriousness of the work. But now that

¹ Shute's *History of the Aristotelian Writings*, pp. 164—170.

nearly the whole of one of the Πολιτεῖαι has been recovered, and its date determined to be later than the latest event noticed in the *Politics*, no argument against its genuineness can be founded on the fact that the author of the unfinished work says nothing of a popular treatise that had not yet been published while the theoretical work was still in course of preparation.

The question arises whether the Πολιτεῖαι are ever mentioned in the undisputed works of Aristotle. At the close of the *Ethics*, when about to state the theme of the ensuing discussion in the *Politics*, Aristotle speaks of τῶν πολιτειῶν αἱ συναγωγαὶ and also of τῶν συνηγμένων πολιτειῶν (x 9 §§ 21, 23). The sense of the context of the latter phrase may be expressed as follows: 'First then let us endeavour to review whatever is to some extent valuable in the statements of our predecessors, and then to learn from the constitutions which have been collected (or put into juxtaposition with one another), the causes which are apt to preserve or to destroy states, and the causes which have this effect on the several constitutions.' This promise is sufficiently fulfilled by the review of the various constitutions in Book II, their classification in Books III-VI¹, and the discussion of the ways in which revolutions may be caused or prevented in Book VIII (v).

Rose, however, in his *Aristoteles Pseudepigraphus*, while regarding the πολιτειῶν συναγωγὰς as existing collections of facts forming materials for the *Politics*, insists at the same time that Aristotle had not himself written any such work or expressed any intention of writing it². The *Politics* of Aristotle, he adds, were supplemented in due time by the works on νομοθεσία written by his pupil Theophrastus; but neither Aristotle nor Theophrastus, he contends, ever wrote any work on πολιτεῖαι. The Πολιτεῖαι, attributed to Aristotle, are ascribed by Rose to some anonymous Peripatetic who was less of a philosopher than a historian and philologist. Such was Demetrius Phalereus who wrote works περὶ τῆς Ἀθήνησι νομοθεσίας and περὶ τῶν Ἀθήνησι πολιτειῶν. Such, again,

¹ Cf. Newman, *Ar. Pol.* vol. i pp. 2, 214—220.

² Rose, *A. P.* p. 396.

Camerarius and Victorius understood πολιτεῖαι συνηγμέναι as a reference to Aristotle's historical work, a view supported by Grant and Stahr, *Ar. Pol.* (1860) p. 66. Heitz, *Verl. Schr.* p. 232, quotes the paraphrase of Andronicus: εἴτα συναγαγόντες τὰς πολιτείας θεωρῶμεν ἐν αὐταῖς ἃ τε φέρεται καὶ ἃ σφίξει τὰς πόλεις. From the use of συναγωγὰς in *Pol.* vii (vii) init., p. 1316 b 40, ἐτι δὲ τὰς συναγωγὰς αὐτῶν τῶν εἰρημένων ἐπισκεπτέον πάντων τῶν τρόπων, and συνακτέον εἰς ὀλίγα in

1319 b 23, he infers that they are *die unter eine gewisse Anzahl von Rubriken vertheilten, verschiedenen Verfassungsformen*. But the meaning of συναγωγὰς in the former of these two passages is determined by Aristotle himself by the use of the word συνδυασόμενα in the very next line, and συνδυασμοί in the subsequent context. It refers to constitutions which exceptionally combine oligarchic and democratic elements; and this sense has nothing to do with the interpretation of the passage in the *Ethics* proposed by Heitz. Susemihl (followed by Mr J. A. Stewart) brackets *Eth.* x 9 §§ 22, 23.

was Dicaearchus, whose πολιτεῖαι were known to Cicero. The author of the Πολιτεῖαι was (according to Rose) inspired, like Dicaearchus, by the example of Aristotle who, in his *Politics*, touches on the constitutions of a large number of states. Now that we know that the 'Αθηναίων πολιτεία was completed several years before the death of Aristotle, while the *Politics* was still unfinished, the suggestion that the unknown author of the Πολιτεῖαι was inspired by the *Politics* falls to the ground, unless indeed we are to assume that the author was one of the pupils of Aristotle who attended his course on the *Politics* at some date after his return to Athens (334). If so, it is singular that the name of this remarkably prolific writer should not have been preserved. On the contrary, the name has completely vanished, and in its place we find everywhere the name of Aristotle and of none beside.

The only two that have been seriously suggested as authors of the 'Αθηναίων πολιτεία are Demetrius Phalereus and Dicaearchus. The former is suggested by Rose in his *Aristoteles Pseudepigraphus*, p. 398. Two of the fragments seemed to imply a more aristocratic type of constitution than any that prevailed at Athens before about 317 B.C.; and, on the other hand, the work must have been composed before the number of the Attic tribes was increased from ten to twelve (B.C. 307). The fragments in question are those on θεσμοθετῶν ἀνάκρισις (414^a) and στρατεία ἐν τοῖς ἐπωνύμοις (469^a). The inference drawn by Rose is not supported by the context in which we find those fragments in the present work (c. 55 § 1 and c. 53 § 7); and we now know that the treatise was written not between 317 and 307, but between 328 and 325. Rose's suggestion has been recently revived by Schwarcz¹. If any detailed refutation of this view is necessary, it may be noticed that, of all the passages attributed to the work of Demetrius περὶ τῆς 'Αθήνησι νομοθεσίας (either by Harpocration, s.v. σκαφηφόροι, Ζεὺς ἔρκειος and παράστασις, or by Plutarch, *Sol.* 23, or by the Scholiast on Arist. *Nubes* 37, or by other authorities mentioned in Müller's FHG), not one is to be found in the πολιτεία. Indeed, in the very first fragment of the work of Demetrius, the account of κυρία ἐκκλησία is described by Harpocration as less satisfactory than that of 'Aristotle' which is found in c. 43 § 4. Similarly Harpocration, s.v. παράστασις, prefixes to a quotation from Demetrius περὶ νομοθεσίας, a quotation from 'Aristotle' ἐν τῇ 'Αθηναίων πολιτείᾳ which is found in c. 59 § 3; and the Scholiast on Arist. *Nubes* 37 quotes from both treatises, his quotation from 'Aristotle' being found in c. 21 § 5. (From the other work, περὶ τῶν 'Αθήνησι πολιτειῶν or πολιτῶν, named in Diog. Laert. v 80, not a single fragment has

¹ *Ar. und die 'Αθ. πολ.*, pp. c, d.

survived.) To meet these difficulties Schvarcz suggests that, at the time of writing the *περὶ τῶν Ἀθηνῆνσι πολιτευῶν*, which he practically identifies with the *Ἀθηναίων πολιτεία*, Demetrius was unacquainted with the facts which he afterwards ascertained by further study in the archives of Athens and embodied in his later work *περὶ τῆς Ἀθηνῆνσι νομοθεσίας*. And yet, strange to say, the account of *κυρία ἐκκλησία* in this 'later work' is in the judgment of Harpocration inferior to that in the treatise which Schvarcz identifies with the 'earlier work' of Demetrius.

It is equally impossible to assign it to Aristotle's pupil, Dicaearchus, for not a single fragment attributed to him by ancient authorities is to be found in the *Ἀθηναίων πολιτεία*. Nothing is quoted from his *πολιτεῖαι* of Pellene and Corinth, or Sparta and Athens; and the few remains of his antiquarian works *περὶ μουσικῶν ἀγώνων*, *περὶ Διονυσιακῶν ἀγώνων* and *Παναθηναϊκός*, have nothing in common with the treatment of those topics in the treatise ascribed to Aristotle.

While in the *Politics* there is no allusion to the *Πολιτεία*, there are many passages in the *Ἀθ. πολ.* which, either in thought or expression, are so closely parallel to the *Politics*, as to suggest a common authorship. Such coincidences might of course be due to the retentive memory of a pupil attending the master's lectures on his unfinished and unpublished work; but it seems more natural to ascribe them to a common author. Let us first consider the more general coincidences of thought.

(1) The *Ἀθηναίων πολιτεία* is the work of one who displays a certain predilection for an aristocratic form of government.

In the *Politics* there is no question as to the author's general sympathies being on the side of an aristocratic government. *Aristocracy* is to Aristotle an *ἀρίστη πολιτεία*. It is marked by election for merit; it is distinguished from the perfect state as being a government of men who are only good relatively to the constitution; it is so called because the best rule, or because the best interests of the state are consulted; it is analogous to royalty as a government of the best: it is even preferable to royalty, because under it the good are more than one. *Oligarchy*, the perverted form of Aristocracy, is inferior to constitutional government (*πολιτεία*), and to its perverted form, Democracy.

Democracy is described in the *Politics* as the government of the many in their own interests; it is the perversion of constitutional government; it is akin to tyranny; in its extreme form it is peculiarly apt to pass into tyranny; it is, however, the only possible form of government in large states; and it is more stable than oligarchy. 'Liberty and equality', as well as the 'use of the lot', are dispassionately

described as characteristic of democracy; and suggestions are propounded for the improvement of this form of government¹.

The author of the *Ἀθηναίων πολιτεία* dwells on the importance of the services rendered by the Areopagus in the times of Dracon (c. 4) and Solon (c. 9), and in the sixteen years immediately succeeding the formation of the confederacy of Delos (c. 23). Cleon is regarded as a demagogue who corrupted the people (c. 28). Nicias, Thucydides (son of Melesias), and Theramenes, are counted among the best statesmen of Athens (c. 28). The writer shows the greatest interest in the constitutional measures proposed by the Four Hundred (c. 29—32); at the same time he does not disguise the atrocities committed by the Thirty (c. 35 end). The restoration of the democracy is described in dispassionate and unenthusiastic terms (c. 38). The defeat of a proposal to reward all who had aided in its restoration is mentioned in language implying that the author did not disapprove of the result.

On the other hand, the transfer of judicial functions from the *βουλή* to the *ἐκκλησία* is commended on the ground that 'small bodies are more open to corruption than large ones' (c. 41, l. 28); but this approval is expressed in the mildest terms and does not imply sympathy with democracy as such. It has been quoted² as inconsistent with the *Politics*; but the reason given for the writer's approval of the transfer is in perfect accord with a passage in the *Politics* (1286 a 30, quoted in note on c. 41 l. 28). There are two periods in which Athens enjoyed a good government:—(1) the 16 years during which the Areopagus was supreme; and (2) the time immediately after the Four Hundred. The only phrase that does not remind one of the writer of the *Politics* is the reference to the 'forgiving spirit' of democracy in c. 22 § 4:—*χρώμενοι τῇ εἰσθυίᾳ τοῦ δήμου πραότῃ*. I am not aware of anything like it in the *Politics*, but I may observe that it recalls a notable passage in the *Republic*, and may possibly be a reminiscence of it³.

The attitude of the author of the *πολιτεία* towards Peisistratus and Theramenes is in harmony with what we should expect from the author of the *Politics*. Both agree that Peisistratus rose to power by attacking the men of the Plain⁴; unless a certain passage in the *Politics* is interpolated, both observe that he was summoned before the Areopagus,

¹ For the ref. as to all these points, see Index to Jowett's *Politics* s. v. Aristocracy and Democracy.

² Cauer, *Hat Ar. die Schrift vom Staate der Athener geschrieben?* p. 49.

³ p. 558 B (of the 'forgiving spirit' of democracy), *ἡ συγγνώμη καὶ οὐδ' ὅπως τοῦτον συμπεριλαμβάνει αὐτῆς*. The term

πραότης happens to be used just before, but it is there applied to the 'calmness' with which condemned criminals go about the world like heroes under a democratical government:—*ἡ πραότης ἐν τῶν δικασθέντων οὐ κομψή*;

⁴ *Pol.* 1305 a 23.

and that he was twice exiled from Athens¹. When recommending 'the constitution that gives predominance to the moderately wealthy class' (1296 a 38), Aristotle adds that 'only one of those who had played a leading part in the affairs of Greece had encouraged the introduction of this form'. As to the person meant there is much diversity of opinion; but whether (with Mr Newman) we identify him with Theramenes, or (as Dr Jowett prefers) with Solon, we have in either case a complete agreement with the 'Αθηναίων πολιτεία, though this does not exhaust the question. Again, the description of Ostracism and its object is 'to a considerable extent in harmony with that given in the *Politics*'². The account of the policy of Aristides is less favourable than we should expect (see c. 24), 'inasmuch as he is said to have converted a citizen-body largely consisting of peasants into an urban citizen-body subsisting on pay and exercising a despotic authority over the subject states, and thus to have contributed to the establishment of an extreme democracy'. We are taught, however, in the *Politics* (1292 b 41—1293 a 6) to 'connect the establishment of a τελευταία δημοκρατία with a great increase in the size of the city and with the provision of pay'; and we also know that the opinion of Aristotle's pupil, Theophrastus, on the policy of Aristides, 'was not an altogether favourable one' (Plut. *Aristid.* c. 25)³.

While the two works are in general agreement on the points above mentioned, there are certain apparent discrepancies that must now be noticed. (1) The 'Draconian Constitution' of the πολιτεία is in conflict with the passage in the *Politics* (1274 b 15) which states that Dracon 'adapted his laws to a constitution that already existed'; but the 'Draconian Constitution' has been vigorously attacked on its own merits, while the passage in the *Politics* is of doubtful genuineness. Again, the πολιτεία states that Peisistratus reigned for 19 years; the *Politics* (1315 b 31) makes his reign last for 17, but the whole of the context of the latter passage is bracketed by Susemihl in his 2nd and 3rd editions. In a disputed passage of the πολιτεία, Themistocles co-operates with Ephialtes for the curtailment of the power of the Areopagus: in a possibly interpolated chapter of the *Politics* (ii 12), the place of Themistocles is taken by Pericles, but not without protest on the part of critics, even before the discovery of the πολιτεία. In the πολιτεία (c. 21 § 6) we are told that Cleisthenes 'allowed every one to retain his γένος and φρατρία and his (hereditary) priesthood according to his ancestral rights'; in a perfectly genuine passage of the *Politics* (1319 b 23) it is implied that Cleisthenes 'increased the number of the phratries' and 'converted a number of private worships into a few

¹ *Pol.* 1315 b 21, 31.

² Mr Newman in *Class. Rev.* v 162 b.

³ *Ibid.*

public ones'. But these passages may be readily reconciled with one another if we consider that the passage in the *πολιτεία* refers to those who were already citizens; that in the *Politics* to the *νεοπολίται*.

It has been pointed out by Mr Macan that 'the ideas underlying the second part of the work are conspicuously Aristotelian. The distinction between *ἀρχειν* and *ἀρχεσθαι* and its relation to the franchise; the definition and essence of citizenship (1275 a 22, and b 22)...; the theory of citizenship in the *Politics*, especially in Bk III *ad init.* might seem to be presupposed in the treatment of the *ἀρχαί* in the work under consideration'¹.

The comparison we have endeavoured to draw between the *Ἀθηναίων πολιτεία* and the *Politics* cannot perhaps be better concluded than by a striking example of identity of thought and language in the two works. In *Ἀθ. πολ.* c. 16 we read of Peisistratus: τοῖς ἀπόροις προεδάνειζε χρήματα πρὸς τὰς ἐργασίας, ὥστε διατρέφεσθαι γεωργοῦντας. τοῦτο δ' ἐποίει δυοῖν χάριν, ἵνα μήτε ἐν τῇ ἄστει διατρίβωσιν ἀλλὰ διεσπαρμένοι κατὰ τὴν χώραν, καὶ ὅπως εὐποροῦντες τῶν μετρίων καὶ πρὸς τοῖς ἰδίοις ὄντες μήτ' ἐπιθυμῶσι μήτε σχολάζωσιν ἐπιμελείσθαι τῶν κοινῶν. In the *Politics* we are told that (even under a democracy) it is advisable to provide the poor (τοὺς ἀπόρους) with capital, and encourage them to work (τρέπειν ἐπ' ἐργασίας 1320 b 8); and that it is characteristic of an oligarchy and a tyranny to drive the people out of the city and disperse them (1311 a 14). We learn elsewhere that the best material for a democracy is an agricultural population; for being poor they have no leisure (ἄσχυλος), and therefore seldom attend the assembly; and, not having the necessities of life, they are always at their work (πρὸς τοῖς ἔργοις διατρίβουσι καὶ τῶν ἀλλοτρίων οὐκ ἐπιθυμοῦσι, 1318 b 14); lastly, that while mechanics or traders or labourers are apt to frequent the city and find it easy to attend the assembly, the agricultural class (οἱ γεωργοῦντες) do not attend meetings, or equally feel the need of assembling together, because they are scattered over the country (διὰ τὸ διεσπάρθαι κατὰ τὴν χώραν, 1319 a 30). It would be difficult to imagine a more complete series of parallelisms in expression as well as thought.

Next, as to the *language and style* of the treatise. The vocabulary includes nine words that are not found elsewhere: these fall into two groups, (1) technical expressions, viz. ἐπιζημίωσις (45, 9, quoted from a law), ἐπτετηρίς (54, 29), ἐπτάχους (col. 34, 32), προδρομεύω (49, 6), and προεδρικός (59, 6); (2) words compounded with two prepositions, viz. ἐπεισκαλῶ and ἐπίεσκλητος (30, 22—23); προσαναζητῶ (29, 16); προδιασπείρω (14, 23). The technical terms need no defence; ἐπτετηρίς is exactly analogous to

¹ J. H. S. 1891, p. 21.

τριετηρίς and πεντετηρίς, and ἐπτάχους to δέχους and ἐξάχους which occur elsewhere. Of the compound words the first three occur in quotations from public documents, and the last is supported by the analogy of προδιαβάλλειν, προδιασύρειν and προδιαχωρεῖν in the undisputed works. Double compounds are in fact characteristic of Aristotle; in the *Index Aristotelicus*, out of nine words compounded with ἐπεισ- one is found in Aristotle alone, and two others are first found in his pages; while, among the compounds with προσανα- and προσαπο-, two are found in Aristotle alone, and five are used by no earlier writer¹.

Among words that are not found in the *Index Aristotelicus* may be mentioned: κυαμεύειν, ἀνακράζειν, βῆμα, ἀντιστασιώτης, ὁμοφρονήσαντες (14, 8), ἀγηλατεῖν (20, 8). Of these ἀγηλατεῖν is obviously quoted from Herodotus; and ὁμοφρονήσαντες, which occurs four times in Herodotus (though not in the same historical connexion), comes immediately after a word borrowed from that historian. The rest are part of the necessary vocabulary of the subject, and their non-appearance in the undisputed works is merely accidental. Exception has been taken to συμβουλευεῖν (c. 30, 14) as non-Aristotelian, and τούτων χάριν (29, 25) and ἐντὸς τριῶν μυνῶν (49, 26) have been described as apparently un-Aristotelian²; but the last of these is cited from a law, and the other two are also in quotations; so that here at any rate we have no right to demand adherence to Aristotelian usage.

Among the compound verbs that are not found in any contemporary writer are καταφατίζειν, ἐπιδιανέμειν, ἐξαπορεῖν, συναρέσκεσθαι and παραστρατηγηθῆναι; and, among technical terms, ζευγίσιον, ὄστρακοφορία, ἀφέσιμος (ἡμέρα), εὐσημία, βάλανος, ἐμπήκτης, ἐπιστύλιον, ἐκθύματα (?), and ἐναγίσματα. The word προδανείζειν, which has been quoted as only used by later writers, is actually found in contemporary decrees³; and τριακοντόριον, which has been described as an 'entirely new word', is to be seen in contemporary inscriptions⁴. μεμψιμοιρία is not found in Aristotle, but he uses μεμψίμοιρος.

Lists of 'un-Aristotelian words and phrases' have been collected by various scholars in the *Classical Review*⁵; and many of the items in such a list will call for notice in the course of the commentary. Attention has also been drawn to the absence of certain turns of expression characteristic of the undisputed writings of Aristotle: thus in the πολιτεία

¹ Gomperz, *Anzeiger der phil.-hist. Classe*, Wien, 1891, no. xi.

² *Class. Rev.* v 273.

³ The decree of Stratocles preserved in [Plut.] 852 B; and another inscr. relating to Lycurgus in CIA ii 162 c 7 and 9 (cf. *Class. Rev.* vi 255 a).

⁴ Besides the inscr. of B.C. 325/4 quoted on 56, 20, we have one of 330/29 in which the word occurs twice:—cf. Boeckh's *Seeurkunden*, p. 393.

⁵ v 123 (J. B. Mayor), 184 and 272 (H. Richards); 'rare words', *ib.*, 229 (E. J. Chinnock). See also *Greek Index*.

'there is a good deal about democracy, but we miss the technical terms ἐσχάτη, ὑστάτη, τελευταία, ἄκρατος, δημοκρατία. Nothing is ἀτοπον, and no person or thing is either σπουδαῖος or φαῦλος'.¹ But, however acute such criticism may be, and undoubtedly is, much of its point is removed, and its edge appreciably blunted, by a frank recognition of the necessary distinction that separates the style of a popular manual like the πολιτεία from that of a philosophical investigation like the *Politics*.

To a similar cause we may ascribe the differences which may be noticed in the degree to which certain particles and conjunctions are used in the πολιτεία as compared with the undisputed works already known to us. Of the *particles*, γε is not used at all, and consequently γοῦν does not occur, τοι occurs only once in μέντοι (28, 35) where its existence is solely due to a probable, but not perfectly certain, emendation. περ is found only in καθάπερ, καίπερ, ὅσπερ, ὅσοσπερ and ὥσπερ. μὴν is only used in οὐ μὴν followed by ἀλλά. δὴ is rather rare, but is sometimes found after a demonstrative pronoun, once after a superlative (κάλλιστα δὴ 40, 17); and in several instances where τε is followed by καὶ δὲ καί; ἐπειδὴ is rare, while ἐπειδὴν is common. Of the *conjunctions*, οὖν is never used except in μὲν οὖν (hence it cannot be accepted in c. 43, 15, where καθ' ἣν οὖν καθίζει has been conjecturally proposed). ἄρα, τοίνυν, τοίγαρ, and τε γάρ, are not found. ἀλλά occurs some thirty times, but always after a negative. καὶ always follows διό, and nearly always follows ὅθεν, when used in the sense of διό; ἵνα is found about ten times; ὅπως seventeen times; and ὅπως ἂν twice².

In the undisputed works, γε and οὖν and τε γάρ are common; ἄρα is rare in the *Politics*; τοίνυν, μέντοι and καίτοι frequent in the *Metaphysics*, *Physics* and *Politics*; yet, in the *Rhetoric*, μέντοι is found only four times; καίτοι only five. μὴν is used not only after οὐ (as in the πολιτεία), but also after ἀλλά; οὐ μὴν ἀλλά, though only found once (except in quotations) in the *Rhetoric* (1361 a 29), is not infrequent in the *Politics* (e.g. 1284 b 4, 1262 a, 1264 a, 1290 b) as in the πολιτεία. The argumentative sense of δὴ is common, but δὴ is never found after a superlative (as once in the πολιτεία); as a variation on καὶ δὴ καὶ (which also occurs in the πολιτεία) we have καὶ followed (but never immediately followed) by δὴ; ὅθεν is followed by καὶ in *Pol.* 1384 a 11, ὅθεν δὴλον ὅτι καί; and διό by καὶ in 1301 b 39. After final conjunctions, such as ἵνα and ὅπως, whether the tense of the principal verb be present or not, the optative is hardly ever used, but almost invariably the subjunctive³. Now that ἵνα μὴ συμμειγνύν τι has been withdrawn from

¹ *Class. Rev.* v 273 b (H. Richards).

² Cf. van Herwerden's *Index Dictionis*, s.v. 'Particulae.'

³ The exceptions are *Pol.* 1310 a 35, and *Eth.* 1117 b 9—12. See Eucken, *De Particularum usu*, p. 53. This work

the text of c. 42, 35, the only exception to this rule in the πολιτεία is in c. 18, 30, ἵνα ἀσεβήσαιν ἄμα καὶ γένοιτο ἀσθενής, which may possibly be a quotation, as suggested by the introductory phrase, ὡς οἱ δημοτικοὶ φασιν. In the undisputed works ὅπως ἂν generally has a relative sense, which it does not entirely lose even when the sense appears to be final¹; in the πολιτεία, the only instances of ὅπως ἂν are in quotations from decrees of the fifth century, in which ὅπως with the subjunctive is never found without ἂν²; all the other instances of ὅπως in the πολιτεία are in strict accordance with Aristotle's usage.

In the above statement such divergences as have been noticed may be fairly attributed to the different character of the works compared. There is clearly less scope for a multiplicity of particles, or of illative conjunctions (such as οὖν and τοίνυν and ἄρα), in a consecutive exposition of constitutional history and antiquities, than in the course of a philosophical discussion.

In a review of the πολιτεία it has been well observed by the latest editor of the *Politics*, that 'the style differs much from the style of the recognised works of Aristotle. It is a clear and precise, though a rather bald style, a style which has not the pregnancy which we associate with the style of Aristotle, and is also comparatively free from the ambiguities and irregularities which beset it'. But 'the work before us is a narrative and descriptive work addressed apparently...to the world at large, not to the pupils for whom the recognised works of Aristotle were probably designed, and it is not likely that it would be written in the same style'³. The treatise is in fact the sole representative of the more popular class of writings attributed to Aristotle, and it enables us for the first time to appreciate the justice of some of the ancient encomiums on Aristotle's style, which have hitherto been hard to reconcile with that of his abstruser works. Thus Cicero speaks of his *flumen orationis aureum*⁴, and his *dicendi incredibilis copia et suavitas*⁵; and similar phrases are found in Dionysius of Halicarnassus and Quintilian⁶. The encomium in Cicero's *Academica* in particular may indeed owe its exaggerated form to a desire to point the contrast between the style of Aristotle and the style of the Stoics; but the general purport of these eulogies is enough to prove that, at a time when the abstruser writings of Aristotle were imperfectly known, his style enjoyed the reputation of being marked by a singular charm and

has also been used for other details in this paragraph.

¹ Eucken, p. 55.

² Meisterhans, *Gr. d. Att. Inschriften*, p. 212.

³ Mr Newman in *Class. Rev.* v 159.

⁴ *Acad. Prior.* ii 119.

⁵ *Topica* i 3.

⁶ Grote's *Ar.* i 43—47; the passages are quoted at length in my note on the *Orator* of Cic., § 62.

richness and variety. This language has been generally explained as applicable to the lost dialogues of Aristotle; but there seems no sufficient reason for refusing to recognise it as holding good in the case of other popular works, ascribed to the same author. Such a work was the *Ἀθηναίων πολιτεία*, and the style of that work may be fairly described as on the whole smooth and flowing, and severely graceful.

It is perhaps even more than this. It is observed by Blass that its composition is marked by a high degree of attention to laws of rhythm similar to those adopted by Isocrates, and generally approved in the third book of the *Rhetoric*. Within the compass of a single sentence we repeatedly find a series of five to twelve or more syllables immediately followed by another of identical, or nearly identical, rhythm. Many examples of this have been noticed¹ but a single instance of an exceptionally striking character may perhaps suffice for the present purpose (c. 55 § 4):—

(ἐπειδὴ) δὲ παράσχηται τοὺς μαθητὰς
ἐπ-ερωτῇ, 'τούτου βούλεται τις κατηγορεῖν;
κἂν μὲν ᾗ τις κατηγορὸς κτλ.

Here the first word is followed by a double series of nine syllables, passing off into a double series of eight; and, within each pair of sequences, the quantities of all the syllables correspond.

The general avoidance of *hiatus* in this treatise implies that it is a finished work prepared for popular perusal and not a mere series of memoranda (or *ὑπομνήματα*) for personal use. This point was observed by Blass even in the scanty remains preserved in the Berlin fragments, and also by Mr Newman in the case of the work as a whole. It has since been investigated more minutely by Mr J. W. Headlam in the *Classical Review*.

He shows (1) that a definite principle is observed throughout the greater part of the work. (α) as a general rule *hiatus* occurs only after the article, after numerals, after *καί*, *διά* and *περί*², and after words in which the last vowel is readily elided e.g. *δέ*, *τε*, *τινα*, *ἐπειτα*, *εἰτα*, *ἀλλά*, *μηδέ*, *μήτε*, *πάντα*, *σφόδρα*, *μάλιστα*. *Hiatus* is avoided at a pause, as well as in the middle of a sentence. (β) In quoted documents the rule does not hold (contrast c. 28 with latter part of c. 29). Nor (γ) in certain technical expressions, such as indications of dates, e.g. *εὐθὺς δὲ τῷ ὄντινι ἐπὶ Τελεσίνου ἀρχόντος* (22, 21); constitutional terms, e.g. *ἡ βουλὴ ἡ ἐξ Ἀρείου πάγου* (4, 20); and legal phrases, e.g. *περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ δὲ ἐθέλη* (35, 14) and *μη εἶναι ἐλεῦθερον* (42, 8). To these may be added *ᾗ* (or *ᾧ*) *ὄνομα* (14, 27; 17, 13).

(2) The exceptions are very unevenly distributed. A list of all that occur in the first part (cc. 1—41) shows that, at the beginning, clear and undoubted exceptions are very rare: in cc. 1—14 § 3 (omitting c. 7, 21—30), there are only five. In the second part, the first few pages are as free as any in the first part; then cases become more

¹ Blass, *Praef.* xvi—xxv.

² Also after *ἡ*, *αἱ* and *μή*.

frequent, and at the end the rule is almost completely neglected. The author had to insert so many technical expressions that he gave up troubling about the matter. In the first part the more striking exceptions often occur directly after a quotation (c. 32 § 1). In the first part at least, no conjectural emendation should be accepted which violates *hiatus*.

The rule is much laxer than that of the school of Isocrates. Hence the work was not written by any member of that school. On the other hand there is considerable evidence that it is from the hand of Aristotle himself, for the usage in this matter is very nearly the same as that of some of his best authenticated works¹.

While it cannot have been written by any of the Isocratean school it exhibits the same familiarity with the works of Isocrates as that displayed by Aristotle himself². A passage that reminds us of the *Gorgias* is introduced by the characteristic *rites*, which is Aristotle's favourite way of referring to Plato in the *Politics*³.

Thus far I have endeavoured to state the internal evidence in favour of accepting the treatise as being substantially the work of Aristotle. It is impossible, however, to ignore the fact that not a few highly competent scholars at home and abroad hesitate to accept it as such⁴. Doubtless, in its manner of dealing with matters of history and particularly of chronology, side by side with much minuteness of detail on the subject of dates, there is evidence of occasional carelessness. There is sometimes a certain lack of intellectual force and vigour. And, further, there is an absence of those long and tangled sentences in which Aristotle, as we have hitherto known him, reviews and discusses a rapid succession of difficulties, doubts, and contradictions amid frequent irregularities of construction and amid repeated violations of his own rule against the use of parenthesis (*Rhet.* iii 5 § 7).

Much, perhaps too much, has been made of such points, and in consequence some have been disposed to regard the treatise as simply a product of the Peripatetic School, the work of some pupil writing with or without the general guidance and direction of Aristotle. It must, however, be remembered that, even in the case of works which are without question accepted as Aristotle's, it is extremely difficult to determine how far they were actually composed by him in the form in which they have reached us; how far they are merely notes of his oral teaching, not given to the world in his lifetime, but revised and edited after his death by the industry and devotion of his pupils and successors. Of the usually accepted works of Aristotle it is doubtful whether any one, as a whole, passed beyond the limits of the lecture-room during

¹ *Class. Rev.* v 270—2.

² See notes on 26 § 2 ult., and 35 § 4 ult., and Newman in *Class. Rev.* v 160—1.

³ See note on 26, 23 *χέλους γενέσθαι*.

⁴ e.g. the Dutch editors; also F. Cauer and F. Rühl; and in England Mr H. Richards and several other contributors to the *Classical Review*.

the life of its author. 'Portions of the *Metaphysics* and *de Caelo*, some at least of the *Parva Naturalis*, the two books *περὶ φιλίας*, now included in the Nicomachean *Ethics*, and the two books on the ideal state, *Politics* vii (iv) and viii (v), may have first seen the light in some other form during the lifetime of Aristotle.¹ On the other hand, the *Πολιτεῖαι* (like the *Dialogues*) 'would have been very likely to see the light early, for they were on a subject of far greater general interest than most of Aristotle's works...It could only be through his *Dialogues* and *Πολιτεῖαι* that he could hope to be immediately known to a wide circle of non-philosophic readers. If he were during his lifetime something more than the revered teacher of a limited circle of pupils, we may safely assume that the publication took place.'

The above remarks are quoted from the work of an Aristotelian scholar of the highest promise, whose *History of the Aristotelian Writings* was published in 1888, after his own death, and several years before the discovery of the *Ἀθηναίων πολιτεία*. The inference there drawn on grounds of a *priori* probability, as regards the *Πολιτεῖαι* in general, is conclusively confirmed by the internal evidence of the date of the *Ἀθηναίων πολιτεία* in particular. It was certainly written, and probably published, before the death of Aristotle.

I may also appeal to the same unimpeachable testimony as to the exact degree of value to be attached to the evidence afforded by the avoidance of *hiatus* :—

'Wherever it occurs, we have a work, or a portion of a work, in exactly the state which was given to it by the author who threw it into its present form. As to whether this author was or was not Aristotle himself, a good deal may be said on either side.'

On the one hand, 'the Aristotle whom we know shows the most absolute contempt for all matters of style,' and seems little likely to have adopted the Isocratean rule of avoiding *hiatus*. On the other, there is 'nothing wonderful or difficult in keeping one style for oral lectures and another for published books. Still less wonderful would it be if there was a wide difference to be found between mere notes for such lectures and deliberately finished publications².'

Assuming, as we fairly may, that the *Ἀθηναίων πολιτεία* was a work of Aristotelian origin, it may still remain uncertain whether it was prepared for publication by the great teacher himself, or by some unknown and unnamed pupil who was skilled in certain graces of style that were apt to win the popular ear. The latter hypothesis might help to account for certain divergencies from the diction of the generally accepted works of Aristotle. To the interposition of such an editor we might perhaps attribute the general smoothness of style that marks its composition.

¹ Shute, *History of the Aristotelian Writings*, p. 23.

² Shute, p. 23.

³ Shute, p. 165 f.

To the same source we might possibly trace certain inaccuracies of historical statement that tend to impair the authority of the work. But even Aristotle himself may have been quite capable of making a mistake in matters of history. The 'master of those who know' was not necessarily omniscient.

It must also be admitted that works like the *Πολιτεία*, owing to the miscellaneous character of their contents, were, in their transmission from age to age, peculiarly liable to interpolation. It has even been suggested that, like the *History of Animals* and the *ἱστορίαι* generally, 'they represent not any fixed work of Aristotle or of anyone else, but merely a continuously open note-book'. The *Ἀθηναίων πολιτεία* may have suffered to some extent from this cause of corruption.

The difficulties as to the authorship of the treatise appear to be fairly met by an eminent Transatlantic scholar who expresses his opinion as follows :

'We are compelled to believe, from many indications, that it was written mainly by Aristotle, with perhaps the help of a pupil who prepared certain of the less important passages, the padding as it were; the work was then revised, but not rewritten, by him. If we are ready to maintain—a proposition by no means self-evident—that the main body of the writings current as Aristotle's are the genuine works of the master in their original form, and that, accordingly, they are the only norm by which everything else is to be tested, we may still account for the "non-Aristotelian" peculiarities of the language of the *Ἀθηναίων πολιτεία* as due, in part, to the fact that the historical sources (epigraphic and literary) are often given in verbal quotations, or at least in paraphrases that retain original forms of expression; due in part, perhaps, to the stylistic idiosyncrasies of an assistant whose work was incorporated with the master's, and finally to the most significant fact that the work was intended not for the scientific inner circle, but for the general reader'...

'The evidence, internal and external, of essentially Aristotelian authorship, as well as authority, seems so overwhelming, that, as between the two alternatives, one should prefer to modify his conceptions of Aristotle than reject this treatise. As Diels² has pointedly phrased it:—*Diese Ἀθηναίων πολιτεία [ist] nicht nur echt aristotelisch sondern aristotelischer als die meisten der uns erhaltenen Lehrbücher an welcher sich jene Skeptiker halten*'.³

If we now revert to the evidence of ancient writers who, either directly or indirectly, quote the *Ἀθηναίων πολιτεία* as the work of Aristotle, we find that, out of 56 fragments in which the *Ἀθηναίων πολιτεία* is expressly mentioned, 53 are found in our MS; of the remaining three, one (*Frag.*³. 385) belongs to the lost beginning, one (463) to the mutilated end; the third (447) is an inaccurate transcript of c. 54 § 2. Of the 35 fragments in which Aristotle is named without any express mention of the work, 25 are found in the MS; of the remainder, three belong to the lost beginning (381, 384, and the new fragment on p. 253,

¹ Shute, p. 72.

² *Archiv f. Gesch. d. Philos.*, iv, p. 479.

³ Prof. J. H. Wright, *The Date of Cylon*, p. 22 f.

l. 50); seven probably do not come from this work at all (382, 386, 392, 399, 401, 415, and part of 394); one (456) may possibly have come from the mutilated end of the work; and one (396) is a misquotation of the text, which can readily be brought into harmony with it. Thus, of the total number of 93 fragments (of which 86 are probably genuine references to this work), 78 are found in the MS, and all the rest are satisfactorily accounted for¹. More than 50 of the fragments of the *πολιτεία* are preserved by Harpocration alone, and all of these are found in the MS.

Lastly, the Berlin fragments are all here. These fragments correspond to the following passages in the text:

I *a* begins before *δουλευόντων* and ends with *ἀνδρῶν*, c. 12, 26—52.

I *b* begins before *ἀρχοντα* and ends with *χρεία*, c. 13, 4—22.

II *a* begins before *Ἀθηναῖοι* and ends after *φυλῆς ἐκάστης*, c. 21, 18—c. 22, 10.

II *b* begins before *Ἰππαρχος* and ends after *τρίηρις*, c. 22, 19—37.

In I *a* the long Iambic passage is written as consecutive prose, and I *b* is less complete than II *a* and *b*. Hence it is difficult to found any calculation on leaf I. But the contents of leaf II are equivalent to 44 lines of print in the present edition. Hence one page is equivalent to about 22 (say 24) lines of print. The number of lines of print now lost between the bottom of leaf I and the top of leaf II is 240 (4 + 30 + 26 + 44 + 18 + 38 + 39 + 23 + 18). Thus it is not improbable that the lost portion is equivalent to 10 pages, and that the MS was made up of gatherings of 12 pages each. The number of lines in our printed text preceding I *a* is 245, which would take up only 10 pages. Hence the first two pages of the lost MS to which the Berlin fragments belong, were either left blank, or they actually contained the beginning of the treatise. If the latter, then the amount of the *Ἀθ. πολ.* which is now lost is equivalent to about 44 to 48 lines of the present edition.

§ 8. *Authorities followed in the Ἀθηναίων πολιτεία.*

The only authors actually named by the writer are Solon and Herodotus. From SOLON he quotes a large number of verses, most of them already familiar to us through Aristides, who shows no proof of any acquaintance with the poems of Solon, beyond that which he derived from the present work. The writer's debt to HERODOTUS is far larger than appears at first sight. He only mentions the historian once (c. 14), but he closely follows him in the account of Peisistratus and Cleisthenes (cc. 14, 15, 20), though not without interesting variations. He also borrows from THUCYDIDES, while deliberately differing from him on several important points in the story of Harmodius and Aristogeiton (c. 18). He coincides with the historian in many parts of his narrative of the revolution of the Four Hundred (cc. 29, 33); but the

¹ The same facts have been duly stated by Mr Kenyon in his *Introduction*, p. xv; revised in ed. 3, p. xvi.

coincidence is not complete, and the writer quotes original documents which are not quoted by the historian. As regards XENOPHON, we find a close resemblance in the account of the speech of Theramenes (c. 36) and elsewhere; at the same time, the divergences are sufficiently numerous to suggest that the authority followed here was the same as that followed at a later date by Diodorus Siculus. This authority has sometimes been supposed to have been the *Hellenica* of Theopompus¹; it has also been suggested that the writer owes to another work of Theopompus, the tenth book of his *Philippica*, his list of the Athenian demagogues, and his portrait of Cleon. It is just possible that the exaggerated account of the generosity of Cimon, which appeared in that work, is tacitly corrected in c. 27 § 3. But there is reason to believe that Theopompus did not publish his work until 324, after Alexander's departure from India; if so, it was later than the *πολιτεία*. The common source, followed by Diodorus as well as the writer, was more probably EPHORUS, who is expressly mentioned by Diodorus².

As regards the writer's relation to the various writers of 'Αθηδῆς, there is no trace of any indebtedness to Hellanicus, whose carelessness on points of chronology³ would have been enough to prevent his being trusted by a writer who usually aims at being precise in matters of chronological detail. To CLEIDEMUS, the next in order of time, we may probably attribute the Ionism in c. 14 § 4, where the form *παραβατούσης* appears to be an echo of *παραβατήσασαν* in Cleidemus' description of the stately woman who assumed the garb of Athene and rode in the chariot of Peisistratus on the occasion of his first restoration to Athens. The account of the disciplinary powers entrusted to the Areopagus (c. § 6), bears some resemblance to a passage attributed to PHANODEMUS; but a statement to the same effect is attributed to a writer of the next generation to that of Aristotle, namely Philochorus, who may, however, have borrowed his phraseology from Phanodemus. In any case, the resemblance between the passage in the *πολιτεία* and that attributed to 'Phanodemus and Philochorus' is not sufficiently close to make it quite certain that the writer was following Phanodemus⁴.

ANDROTION may be identified with the person attacked in the 22nd speech of Demosthenes; he may therefore be placed earlier than the age of Aristotle. If so, he is closely followed in the account of the ostracism of Hipparchus son of Charmus (22 § 3); and the statement as to the number of the *συγγραφεῖς* in c. 29 § 2 is in accordance

¹ Th. Reinach's *Transl.* of 'Αθ. πολ., p. xxiv.

² xiv 11 and 22; Bauer, *Forschungen*, p. 155. Theopompus, in Pollux, v 43.

³ Thuc. i 97, *βραχέως τε καὶ τοῖς χρόνοις οὐκ ἀκριβῶς*.

⁴ See note on p. 12 a.

with that of Androtion. But the writer differs from Androtion as to the nature of Solon's *σεισάχθεια*, without going out of his way to controvert it. Here, as sometimes elsewhere, he is only tacitly polemical.

The most famous of the writers of *Ἀτθίδες*, Philochorus, belongs to the age after that of Aristotle, and has several points in common with the writer of the *πολιτεία*. As has been shown by Professor Wright, it is not improbable that he actually quoted the latter and accepted it as the work of Aristotle¹.

On the relations subsisting between the *Ἀθηναίων πολιτεία* and the *Atthidographi*, I may be allowed to quote some criticisms for which I am indebted to the kindness of Mr W. L. Newman.

It is remarkable that while, in the *Politics*, there is little to remind us of the writings of the *Atthidographi*, in the *πολιτεία* there is much. This indeed holds good of the *Πολιτεία* generally. No doubt it is not unnatural that the 'Constitutions' ascribed to Aristotle, containing as they do sketches of local history, should follow the model furnished by local histories like the *Atthides*; still it is strange that, if Aristotle was the author of these 'Constitutions,' he should be so little influenced by the *Atthides* in the *Politics*, if indeed he is so at all. Readers of the *πολιτεία*, on the contrary, find it hard to avoid the suspicion that some *Atthis* has been largely used by the writer, very possibly the *Atthis* of Androtion. We may note the following resemblances between the *Ἀθ. πολ.* and the other *Πολιτεία* ascribed to Aristotle on the one hand, and the writings of the *Atthidographi* on the other:—

(1) The *Ἀθ. πολ.* is up to the mark of the last new historical fashion in respect of chronological exactitude. No doubt the effort to be chronologically exact is traceable early in the development of Greek historical literature. Thucydides knows the date of the fall of Troy (i 12), and the approximate date of the founding of Melos (v 112). Still the passion for chronological exactitude increased during the fourth century B.C. and later; for instance, Ephorus (*Frag.* 9 a) and Callisthenes knew that Troy was taken on the 23rd of Thargelion. As to Timaeus see Diod. v 1 and Polyb. xii 10. Nothing of this care for exactness in dates appears in the *Politics* or in other recognised writings of Aristotle. The writer of the *Ἀθ. πολ.*, again, often dates by archons, but Aristotle never does so in the *Politics*. This dating by archons was perhaps no new thing in historical writing; some think that Hellanicus reckoned by archons, but here again we have an *Atthidographic* feature. Androtion and Philochorus reckoned by archons (Busolt, *Gr. Gesch.* i 363, note 4); see also Philoch. *Frag.* 52 (where Philochorus knows in whose archonship at Athens Homer flourished) and Androt. *Frag.* 46.

(2) The *Ἀθ. πολ.* and other Constitutions ascribed to Aristotle resemble the *Atthides* in the interest they show in the origin of words and familiar phrases. See *Ἀθ. πολ.* c. 2, 5; 6, 12; 13, 25; 21, 6 and 21; 45, 7 &c.; and Aristotle's Constitutions (*Frag.* 477, 484, 488, 491, 495, 512, 514, 519, 536, 562, 580, 582, 595, 596); and compare Androtion, *Frag.* 28—29, 33; Phanodem. *Frag.* 1, 13, 14; Ister, *Frag.* 28, 32, 35, 39, 43, 52, 57; Philoch. *Frag.* 4, 5, 6, 7, 10, 12, 16, 42, 48 and many others. The interest which the *Ἀθ. πολ.* and the other Constitutions show in these matters is a good deal more marked than that which we trace in Aristotle's recognised works, and the same may be said of

¹ *American Journal of Philology*, xii 310 f.; *supra*, p. xix f.

(3) the interest which the 'Αθ. πολ. and other Constitutions share with the *Atthides* in (A) the origin of institutions and the like, and (B) the explanation of proverbs.

As to (A), compare 'Αθ. πολ. c. 8, 3 and *passim*, and Aristotle's Constitutions, *Frag.*¹ 475, 479, 501, 511, 519, with Philoch. *Frag.* 51, 56, 66, 189.

As to (B), see 'Αθ. πολ. c. 16, 18; 21, 6 &c., and Aristotle's Constitutions, *Frag.*² 487, 505, 513, 523, 528, 545, 558, 559, 571, 584, 591, 592. Demon, one of the *Atthidographi*, wrote a book about Proverbs (Müller, FHG i 379).

In choosing his authorities and in deciding between them when they differ, the author is guided by the consideration of the comparative probability of the accounts before him. He repels the calumnies against Solon (6) and Theramenes (28); and, in the story of Harmodius and Aristogeiton, gives an adequate reason for not accepting an opinion sanctioned by Thucydides (18 § 4). On the other hand, he is himself far from infallible as a historian. There is much confusion in the chronology of the years between the archonship of Solon and that of Damasias II (p. 50); and in that of the times of Peisistratus (p. 56). The presence of Themistocles in Athens in 462 seems impossible to reconcile with the chronology of his later years suggested by the *data* in Thucydides (p. 101); and there are several grave inaccuracies in the brief allusion to the trial of the generals after the battle of Arginusae (p. 129).

Besides relying on the testimony of Solon's poems, the writer draws inferences from popular poetry such as the *scolium* in honour of Cedon and that on the baffled herpes of Leipsydrium (cc. 19, 20). He quotes archaeological evidence derived from the κύρβεις of Solon (7 § 1), from the prae-Solonian coinage (c. 10), and from a relief and inscription on the Acropolis (7 § 4). He alludes to proverbial phrases, χωρίον ἀτελές (16 § 6) and μὴ φυλοκρινεῖν (21 § 2). He also takes special pains in quoting official documents¹.

The decrees proposed by Aristion (14 § 1) and Themistocles (22 § 7) are noticed in general terms; that proposed by Pericles in 451—0 (26 ult.), is expressly quoted. The official documents cited *in extenso* are those connected with the revolution of the Four Hundred in 413; viz. the motion of Pythodorus for the appointment of 30 συγγραφεῖς, with the amendment by Cleitophon; the formal record of the preliminary

¹ In these quotations we find a minute but not uninteresting proof of his fidelity: in the whole work, out of 17 instances of δπως with subjunctive or with future indicative, we have only two of δπως ᾗ with the subjunctive (29, 24, and 30, 20); both of these occur in decrees of the fifth century, and the inscriptions of that century give us 16 instances of δπως

ᾗ, and none of δπως with the subjunctive. In view of this fact it is clear that in 29, 18 δπως ἀκούσαντες is only a copyist's mistake for δπως ᾗ. This is noticed by Prof. Wright in *The Nation*, 1 May, 1891, p. 383. It must not, however, be inferred that δπως c. fut. is not found in inscriptions: on the contrary it is very common (Meisterhans, note 1705²).

proposals and of the constitution drawn up by the *συγγραφείς* (c. 29); with the ultimate and the provisional constitutions drawn up by the hundred Commissioners (cc. 30, 31). We have also the terms of the reconciliation effected between the oligarchical and democratic parties in 403 (c. 39). These documents were presumably preserved among the archives of the State in the *Metron*; but they probably owed their publication not only to their historical importance, but also to their including typical forms of oligarchical constitutions which afforded suitable themes for discussion among students of the theory of politics. The writer's evident interest in the detailed history of the period between B.C. 413 and 403 is one of the considerations in favour of identifying him with the author of the *Politics*. In the latter Aristotle selects the Revolution of the Four Hundred as a typical instance of a revolution effected by fraud on the part of those who, when the deception is over, still endeavour to retain the government by force (1304 b 12, quoted on c. 29, 8). Elsewhere, while discussing revolutions in oligarchies arising within the governing class, he mentions, as first of the two types of the oligarchical demagogue, 'one who practises on the oligarchs themselves; for, although the oligarchy are quite a small number, there may be a demagogue among them, as at Athens the party of Charicles predominated among the Thirty, that of Phrynichus in the Four Hundred' (1305 b 24—27). It is, however, only fair to add that neither Phrynichus nor Charicles is mentioned in the *πολιτεία*.

In the absence of direct historical evidence, the writer's favourite form of argument is that indicated by Mr Macan in an interesting contribution to the *Journal of Hellenic Studies*. 'The author has a source of knowledge, or rather a method of reconstruction, to take the place of direct testimony, tradition or evidence. This method consists in a process of inference from the present to the past, from existing circumstances to their presumable antecedents, from a given state of institutions to a former condition of the same'.¹ As instances in which the author mentions the employment of this method by others, we have (1) the oaths of the nine Archons (3 § 3); and (2) the property qualification of the *ἱππεῖς* (7 § 4). He uses it himself in cases such as the following: (1) the sacral marriage of the *βασιλιννα* (3 § 5); (2) the Solonian method of appointing officials (8 § 1); (3) the institution of the *οἱ κατὰ δήμους δικασταί* by Peisistratus (16 § 5); and (4) the motive for the institution of ostracism by Cleisthenes (22 § 3).²

¹ *J. H. S.* 1891, p. 37.

² *ib.* p. 38. For some of the 'signals

of this method,' cf. note on 8 § 1, p. 30, *ὅθεν ἐνι διαμένει*.

§ 9. *Abstract of the 'Αθηναίων πολιτεία.*

The work is divided into two parts, (i) a Sketch of the Constitutional History of Athens down to the Restoration of the Democracy in 403 B.C. (cc. 1—41); and (ii) a detailed analysis of the machinery of the Constitution between 328 and 325 B.C. (c. 42 to the end). The first has been well described as a 'Primer of Constitutional History'; the second, as a 'Citizen's Handbook.'¹

Part I, in its complete form, comprised an account of the 'original constitution' of Athens, and of the eleven changes through which it successively passed (c. 41). Accordingly, in the following abstract, we have to deal with a series of twelve constitutions.

(1) *The constitution in the time of Ion.* The original constitution of Athens was an absolute monarchy. In process of time, owing to some of the hereditary line of kings being feeble in war, ION, the son of Apollo by the daughter of an Attic king, was summoned to their aid, and invested with military command. Such was the origin of the office of *Polemarch*, which was second to that of *Basileus* in order of date (3 § 2). In the days of Ion, the people were divided into four tribes, with four *φυλοβασίλεις* or 'tribal kings' (41, 6—9). To Apollo's son, the first Polemarch, the Athenians owed the name of Ionians and the worship of Apollo *πατρώος* (frag. 381²).

(2) *The constitution in the time of Theseus.* Under THESEUS, we are simply told that the constitution exhibited a slight divergence from absolute monarchy (41, 10; and frag. 384³).

[About 1088 B.C., on the death of Codrus, and the accession of his son Medon, the kingly power ceased to be hereditary. Henceforth the kings were elected for life from members of the royal house.]² By the side of the King, the *Polemarch* was already in existence as commander in the time of war; and in the reign either of Medon, or his son Acastus, a third office, that of *Archon*, came into being, and was endowed with some of the royal prerogatives by the descendants of Codrus (3 § 3). In process of time the name of Archon was transferred from the third officer of State to the first [c. 753/2 B.C.]. The chief Archon was elected [from the royal house], but his term of office was limited to ten years (3 § 1 end), while the title of King, with the privilege of attending to certain religious duties, was assigned to another archon, called the *Basileus*. It was not until the three primary offices of State, those of Archon, Polemarch and Basileus, had become annual [c. 683/2 B.C.], that their number was increased by the institution of the six *Thesmothetae*, whose duty it was to record and preserve all legal decisions with a view to their being enforced against transgressors of the law (3 § 4). In the course of time the Archons were elected by the Council of the Areopagus (8 § 2) under qualifications of birth and wealth (3 § 1), while the Areopagus itself was composed of those who had filled the office of Archon.

¹ *Cambridge Review*, 20 Feb. 1891, p. 212 a.

² Throughout this abstract, dates and other items derived from sources extraneous to the treatise itself are distinguished by being placed within brackets.

Such items generally represent the traditional accounts of Attic history accepted (whether rightly or wrongly) by the Athenians themselves.—The dates in this paragraph depend mainly on the *Marmor Parium* (Busolt, *Gr. Gesch.*, i 404¹).

It was the duty of the Areopagus to maintain the supremacy of law, to inflict personal punishments and fines, and to administer the State in general (3 § 6).

[In an Olympic year between 636 and 624 B.C.] an attempt to seize despotic power was made by a young nobleman named Cylon [who had been a victor in the Olympic games of 640]. The attempt was unsuccessful: the adherents of Cylon were put to death under the authority of the Archon Megacles, of the house of the Alcmaeonidae, who violated their right of sanctuary and thus brought a curse on Athens and his descendants (*Herac. Epit.* § 4).

The constitution at this time was thoroughly oligarchical. There was a conflict between the various orders in the State: the land was in the hands of a few; discontent prevailed among the poor, who, if they failed to pay their rent, became the slaves of the rich (c. 2).

(3) *The Constitution of Dracon.* It was with a view to providing a remedy for these evils that (in 621 B.C.) the first code of law was drawn up by DRACON (41, 11). The franchise was at this time possessed by all who could provide their own equipment for war. It was these who elected the Archons and other principal officers of State; and out of their own body a Council of 401 members was appointed by lot from among those who had attained the age of 30. Members of the Council were liable to fines varying with their social status. The Council of the Areopagus continued to maintain the supremacy of law and the efficient discharge of the duties assigned to the officers of State; it also received formal complaints from persons aggrieved by the infringement of any statute (c. 4).

In due time the friends of the exiled members of Cylon's party acquired sufficient power to compel the Alcmaeonidae to submit to a trial before a special court of 300 citizens selected from the noblest families of Athens. They were found guilty; the dead bodies of the offenders were cast out, and their surviving relatives condemned to perpetual exile. Athens was further purified from the curse of sacrilege by Epimenides (c. 1).¹

(4) *The Constitution of Solon.* Dracon's legislation having failed to remedy the wrongs of the poor, the conflict of the orders broke out afresh and was not allayed until [c. 594 B.C.] both parties agreed on choosing SOLON as mediator and as Archon (5 § 2). Solon cancelled all existing debts, whether public or private; and for the future he made it illegal to lend money on the security of the person of the debtor (6 § 1). With the exception of the laws on homicide, the code of Dracon was repealed, and a new code published. The people were divided into four classes, *Pentacosiomedimni*, *Hippeis*, *Zeugitae*, and *Thetes*; the various offices of State being now assigned to the first three classes in proportion to the amount at which they were severally rated, while the fourth class had only the right of taking part in the public Assembly and in the Law-courts (c. 7). The nine Archons were now appointed by lot, out of forty selected candidates, nominated to the number of ten by each of the four tribes. A Council of 400 was also constituted, 100 from each tribe. The Areopagus, which still retained the duty of supervising the laws and maintaining the constitution in general, was now empowered to try cases of treason (c. 8). In Solon's constitution the specially democratical elements were:—(1) the prohibition of loans on the security of the person; (2) the privilege of every citizen to claim legal satisfaction on behalf of any one who was wronged; and (3) the right of appeal to the law-courts. The power of voting in the law-courts made the com-

¹ On the date of Epimenides, see p. 3, and cf. Prof. Wright's *Date of Cylon*, pp. 70 and 74, where the visit of Epi-

menides, as well as the trial of the Alcmaeonidae, is conjecturally assigned to 615 B.C.

mons master of the constitution (c. 9). Solon also introduced a new standard of coinage, and of weights and measures (c. 10). His legislation, however, did not prove acceptable to either of the two great parties in the State. Finding himself beset and harassed by both, and declining to make himself despot at the expense of either, he withdrew for ten years to Egypt (c. 11).

When he had gone abroad, although the State was still disturbed by divisions, they lived in peace for four years; but, in the next year, and again four years later, their divisions prevented the election of an Archon. After another term of four years (?), the choice fell on Damasias [582], who succeeded in remaining in office for two years and two months. The interval of civil strife was closed by an agreement to elect ten Archons from the several orders in the State, five from the *Eupatridae*, three from the *Agroeci*, and two from the *Demiurgi*. But the general discontent was not allayed. Some of the rich had lost their wealth; others had lost their political power; a few besides were inspired by personal ambition. At this time the three parties of the Shore, the Plain and the Highlands, representing the moderate, the oligarchical and the democratic spirit respectively, were under the leadership of Megacles, Lycurgus, and Peisistratus. The party of Peisistratus was reinforced by those whom Solon's legislation had deprived of the debts due to them, and also by persons whose dubious birth gave them an uncertain claim to the rights of citizenship (c. 13). These struggles found their issue in the tyranny of Peisistratus and his sons.

(5) *The tyranny of Peisistratus and his sons.* PEISISTRATUS, who had won distinction in the war against Megara, persuaded the people to grant him the protection of a body-guard, and with the aid of the latter seized the Acropolis (560 B.C.). He ruled in a constitutional spirit; but, five years later, he was expelled by a coalition between the parties of Megacles and Lycurgus. Eleven (?) years afterwards he was restored by the aid of Megacles on condition of marrying his daughter (14). This condition was only nominally fulfilled; and, about six years later, he was once more expelled. He withdrew to Macedonia, where he acquired money and mercenary troops. Ten years subsequently, with the help of Thebes, of Lygdamis of Naxos, and the Knights of Eretria, he recovered his power and disarmed his subjects (15). His rule, however, was mild and humane. To encourage agriculture he advanced money to the poorer classes, with a view to their staying in the country and looking after their own affairs instead of coming into the town and taking part in public business. With the same object he instituted 'local justices,' and himself visited various parts of the country, thus making it unnecessary for the tenants to neglect their farms by bringing their grievances to Athens. Besides this, the cultivation of the soil promoted an increase in his revenues (16).

Peisistratus died in 527/6 B.C., having held actual possession of his power for nineteen out of the thirty-three years that had elapsed since he had originally established himself as 'tyrant' (c. 17). He was succeeded by his sons Hippias and Hipparchus, who at first ruled in their father's spirit; but, when Hipparchus had been slain in the conspiracy of Harmodius and Aristogeiton (c. 18), the rule of Hippias became more severe. Three years afterwards (c. 19 § 2) he was expelled by Cleomenes, king of Sparta (in the spring of 510 B.C.).

(6) *The Reforms of Cleisthenes.* After the overthrow of the tyranny the rival leaders in the State were Isagoras, an adherent of the tyrants, and CLEISTHENES, of the house of the Alcmaeonidae. Isagoras invited the aid of Cleomenes. Thereupon Cleisthenes withdrew, while Cleomenes vainly endeavoured to supersede the Council and to set up a body of 300 partisans of Isagoras in its place. Cleisthenes soon returned, and became leader of the people (c. 20). In 508 B.C. he distributed the population

into ten tribes instead of the existing four; and instituted a Council of 500 (fifty out of each of the ten new tribes), in place of that of 400 (100 out of each of the four tribes). He also made the deme the unit of his social organisation, combined the demes into groups (τμήματα), and assigned these groups to the several tribes in such a manner that each tribe had three groups allotted to it, one from the urban or suburban district, one from the coast, and one from the interior (c. 21). The reforms of Cleisthenes made the constitution more democratic than that of Solon. Among the laws now passed was that concerning Ostracism, which^{*} was at first intended to serve as a safeguard against the reestablishment of a tyranny. In 504 B.C. [or, more probably, in 501], the oath, which was still in use in the writer's time, was first imposed on the Council. The Generals were elected according to tribes, one from each tribe (22 § 2). The law of Ostracism was enforced for the first time in 488/7, two years after Marathon, the person ostracised being Hipparchus son of Charmus (§ 4); he was followed in 487/6 by Megacles [a nephew of Cleisthenes], by Xanthippus [the father of Pericles] in 485/4, and about 484/3 by Aristides. Meanwhile, in 487/6, for the first time since the establishment of the tyranny, the nine Archons were appointed by lot out of 500 [or more probably, 100] candidates selected by the demes. In 483/2, on the discovery of certain silver mines in Attica, Themistocles persuaded the people to lend the proceeds to the hundred wealthiest men in Attica, and thus brought about the building of the hundred triremes, with which the battle of Salamis was won [480].

(7) *The supremacy of the Areopagus.* Thus far the growth of the democracy had been advancing with the gradual growth of Athens; but, after the Persian wars, the Council of the Areopagus once more assumed the control of the State. It owed this high position, however, not to any formal decree, but to the spirited action it had taken in connexion with the battle of Salamis. When the Generals were unable to cope with the crisis, it was the Areopagus that provided pay for the crews, and thus ensured the manning of the fleet and the gaining of the victory (23 § 1). The leaders of the people at this time were ARISTIDES and THEMISTOCLES. On the establishment of the Confederacy of Delos, Aristides assessed the amount to be paid to the common fund by the allies of Athens, beginning with the year 478/7 (§ 5). By his advice the inhabitants of Attica left the rural districts and settled in the city, on the assurance that all of them would be able to maintain themselves by the discharge of military duties or by taking part in public affairs, and would thus secure the control of the league. Thus it was that Athens came to adopt the policy of oppressing her allies, from which Chios, Lesbos and Samos alone were exempt.

(8) *The restored and developed democracy.* The supremacy of the Areopagus lasted for about seventeen years (478 to 462 inclusive). The power of the people was meanwhile increasing, and EPHIALTES, on becoming their leader, attacked the Areopagus, by depriving it of all the more recent privileges by which it had attained the control of the constitution, transferring some of them to the Council of Five Hundred, and others to the Assembly and the Law-courts (462 B.C.). In this revolution he was aided by Themistocles (25).

Thereupon the administration of the State became more and more lax owing to the rivalries that arose between successive aspirants for popular favour. At this time the aristocratical party had no real chief, although their leader was Cimon, who was comparatively young for that position, and had been rather late in entering on public life. In 457/6 the office of Archon was thrown open to the *Zeugitai*. In 453/2 the thirty 'local justices' were restored; and in 451/0, on the proposal of PERICLES, it was enacted that the franchise should be limited to those who were of citizen blood by both

parents (26). Under Pericles, the constitution became still more democratic. He deprived the Areopagus of some of its ancient privileges, and also prompted Athens to aim at the empire of the sea (27 § 1). The Peloponnesian war (B.C. 431—) injured the people to military service, and led to their assuming the administration of the State (§ 2). Pericles was also the first to provide pay for serving in the Law-courts (§ 3).

So long as he was leader of the people, public affairs were managed comparatively well; at his death there was a great change for the worse (28 § 1). It was then that, for the first time, in the person of Cleon, the people had for their leader one who was of no reputation among the upper classes (§ 2); on the other side, the leader of the aristocracy was Nicias. These two were succeeded by Cleophon and Theramenes respectively. It was Cleophon who was the first to provide each citizen with the grant of two obols for a seat in the theatre (§ 3); and the series of demagogues, who succeeded him, owed their position to their recklessness of language, and to their readiness to gratify the immediate desires of the populace (§ 4). Of the leaders of the aristocratical party, Nicias and Thucydides (son of Melesias) are justly esteemed as statesmen. Concerning Theramenes there is a conflict of opinion; but, on calm reflexion, it is clear that, so far from subverting every kind of constitution, he really supported each in turn, so long as it was faithful to the laws; thus proving that, like a good citizen, he was capable of living in contentment under any form of government, while he could never be a party to unconstitutional conduct, but on the contrary was always its resolute foe (§ 5)¹.

(9) *The revolution of the Four Hundred.* After the failure of the Sicilian expedition [Sept. 413], when the power of Sparta had been increased by her alliance with Persia, Athens was compelled to abolish her democracy and to accept the oligarchical revolution of the Four Hundred. At this crisis it was proposed by Pythodorus that the popular Assembly should elect a Committee of thirty in all, to draw up proposals for the public safety; and that any other person might make such proposals as he pleased, so that the people might decide on whatever course it thought fit (29 §§ 1, 2). An amendment moved [and probably carried] by Cleitophon made it an instruction to the Committee to take into consideration the constitution of Cleisthenes in drawing up their report (§ 3). The Committee reported in favour of the Prytanes being compelled to put to the vote any motion for the public safety (instead of exercising their own discretion in the matter). They also proposed the abolition of all indictments for illegal motions, all impeachments before the Council or the Assembly, and all citations before the Law-courts, so that nothing should hinder any citizen from offering such counsel as he thought fit. If any person attempted, either by fine or citation or prosecution, to prevent such counsel being given, he was to be summarily brought before the Generals and delivered up to execution (§ 4). They further drew up the following form of constitution:—The revenues were to be spent solely on the conduct of the war. So long as the war lasted, no officers of State were to receive any pay except the nine Archons and the Prytanes. The franchise (including the right of making treaties) was to be entrusted to not less than Five Thousand of the citizens who were best able to serve the State. The list of the Five Thousand was to be drawn up by a Commission of one hundred formed by electing ten out of each of the tribes (§ 5).

When these proposals had been ratified, the [provisionally acting body of] 'Five Thousand' elected from among their own members the hundred Commissioners for

¹ There is a monograph on Theramenes by Dr Carl Pöhlig (Teubner, 1877). On the party of 'moderate oligarchs'

to which Theramenes belonged, see Dr Jackson's article on *Socrates* in *Encycl. Brit.* ed. 9.

drawing up the constitution. The Commissioners proposed for the future a Council, which was to be in power for a year at a time, and to include certain officers of State (about 100 in all) as members *ex officio*. The Council was to appoint these out of a larger number of selected candidates chosen out of the members of the Council for the time being. All other offices were to be filled by lot (30 § 2). There were to be four Councils of four hundred each, such four Councils serving in turn, for a year each, in an order to be determined by lot (§ 3). Members of the Council absent without leave were to be fined (§ 6).

For the immediate present, there was to be a Council of Four Hundred (as in the constitution of Solon), forty from each tribe, appointed out of a larger number selected by the members of the several tribes. This Council was to appoint the officers of State, and to have complete discretion in questions of legislation, official audits, &c.; but was to have no power to alter the new constitution (31 § 1). Military officers were to be elected provisionally by the 'Five Thousand,' but ultimately by the Council (§ 2). No office, except that of a General or a member of the Council, was to be held more than once (§ 3).

About the end of May, 411, the existing Council was dissolved; and on June 7 the Four Hundred entered on office. An oligarchical constitution was thus established nearly a century after the expulsion of the tyrants (510). The leaders of the Revolution were Peisander, Antiphon and Theramenes. The Four Hundred sent envoys to Sparta, proposing the termination of the war on the basis of *uti possidetis*; but, as the envoys declined to surrender the maritime supremacy of Athens, Sparta refused to come to terms (c. 32).

(10) *The restored Democracy.* The defeat of Athens in the naval battle of Eretria, and the consequent loss of Euboea, led the people to depose the Four Hundred, after they had been in power for four months (May to August, 411); and to entrust the management of affairs to the Five Thousand, a body consisting of all citizens capable of providing a military equipment. No pay was to be given for any public office. This revolution was led by Aristocrates and Theramenes, both of whom disapproved of the Four Hundred for keeping all the power in their own hands, and not referring anything to the Five Thousand. The constitution at this time appears to have worked excellently, inasmuch as it was a time of war and the franchise was entrusted to those who provided a military equipment (c. 33).

[After the victories in the Hellespont in 410] the people soon deprived the Five Thousand of their exclusive right to the franchise. In 406 the victory of Arginusae was won, but that victory was attended with the following results: (1) Under the misleading influence of passionate appeals to the feelings of the people, all the Generals who had won that victory had their fate sealed by a single verdict (see note on pp. 129—130); and (2), when Sparta proposed to evacuate Decelea, Cleophon protested that she should be required to surrender all the cities that owed allegiance to her (34 § 1). Athens soon had good reason to regret her mistake. In 405 she was vanquished at Aegospotami; and Lysander became master of Athens and established the rule of the Thirty (§ 2).

(11) *The despotic government of the Thirty and of the Ten.* The THIRTY, instead of framing a constitution, appointed a Council of five hundred, out of a large number of selected candidates; associated with themselves ten officials in the Peiraeus, eleven superintendents of the prison, and three hundred attendants; and, with the help of these, kept the city completely under their own control. At first they acted with moderation: they professed to restore the ancient constitution; repealed the laws of Ephialtes curtailing the privileges of the Areopagus; and abolished the limitations

to the right of bequest granted by Solon. But, as soon as they had established themselves in power, they proceeded to put to death those who were eminent for wealth or birth or reputation; and, within a short time, the number of their victims rose to 1,500 (c. 35). Alarmed, however, by the indignant protests and the ever increasing popularity of Theramenes, they offered to draw up a list of 3,000 who were to receive the franchise. Theramenes was still dissatisfied; the list was withheld, and, when published, was constantly liable to arbitrary alterations (c. 36).

Meanwhile, winter set in, and the Thirty were repulsed in their attack on Thrasybulus, who, with the exiles of the democratic party, had taken possession of the fort of Phyle. The Thirty now resolved on disarming the people and getting rid of Theramenes. For the latter purpose they compelled the Council to pass two proposals, (1) giving the Thirty power to put to death any person not included in the list of the 3,000; (2) preventing any one from enjoying the franchise if he had taken part in demolishing the fort of Eetioncia or had in any way opposed the Four Hundred. Theramenes had done both. After putting him to death, they disarmed all the people except the 3,000; and proceeded to further extremities of cruelty and crime (37).

After this, Thrasybulus and his soldiers occupied Munichia and defeated the partisans of the Thirty. The party of the city retreated to Athens; and, on the next day, held a meeting in the market-place, deposed the Thirty and elected Ten of the citizens as commissioners with full powers to bring the war to a conclusion. The TEN did nothing of the kind; they sent to Sparta to ask for aid and to borrow funds. Finding that this was resented by those who possessed the franchise, and fearing they might be deposed in consequence, they arrested a citizen of the highest repute and put him to death. They thus strengthened their position, and they were further supported by the Spartan harmost Callibius and his Peloponnesians, and by certain of the Knights. The party of the Peiraeus, however, were soon joined by all the people, and began to get the upper hand in the struggle. Thereupon, the party of the city deposed the Ten, and elected in their place another body of the same number, consisting of men of the highest character, among whom was Rhinon (who was afterwards elected one of the Generals). Under the management of this new body of Ten, and with the aid of Pausanias and ten Commissioners from Sparta, terms of reconciliation were drawn up and the democratic party returned to Athens (c. 38).

The terms were as follows: All who had remained in Athens might reside at Eleusis, while retaining their property and their full rights as citizens (35 § 1). The temple at Eleusis was to be common ground for both parties; but, except at the season of the Mysteries, the settlers at Eleusis were not to enter Athens, or the residents in Athens to visit Eleusis. The settlers at Eleusis were to contribute their share to the federal fund (§ 2). If any one killed or wounded another, trials for homicide were to be held, as of old (§ 5). Lastly, there was to be a general amnesty towards all persons, except the Thirty, the Ten (who immediately succeeded them), the Eleven, and the Ten who had ruled in the Peiraeus; and even these were not to be excluded, if they rendered an account of their office (§ 6).

A prominent part was played at this time by Archinus:— (1) He accelerated the date for the closing of the list of settlers at Eleusis (40 § 1); (2) he successfully resisted the proposal of Thrasybulus to confer the franchise on all who had aided in the restoration of the democracy; and (3) he insisted on the penalty of death being inflicted on one who attempted to violate the amnesty (§ 2). The funds which the Thirty had borrowed from Sparta for their own purposes, were repaid out of the

public treasury (§ 3). A further reconciliation was effected with the settlers at Eleusis in B.C. 401/0 (§ 4).

(12) *The restored and extreme Democracy.* The constitution established in B.C. 403 remained in force until the time when the work was written (B.C. 328—325) with ever-increasing accessions to the power of the people. The people had made itself master of everything, and administered all the affairs of State by means of the decrees of the Assembly and the decisions of the Law-courts. In the latter, no less than in the former, the people ruled supreme. Even the judicial decisions formerly in the hands of the Council were transferred to the people, a course which the writer approves on the ground that small bodies are more liable to corruption than large ones (41 § 2). At first it was decided not to provide pay for attendance at the Assembly; but, as its members were habitually absent, an allowance of one obol a day was introduced by Agyrrhius, to be increased to two obols by Heracleides, and to three by Agyrrhius himself (§ 3).

Part II, which describes the machinery of the 'existing Constitution,' under the general heads of (i) the Franchise (c. 42), (ii) Legislature (43—45), (iii) Administration (46—62), and (iv) Judicature (63 to end), may from one point of view be regarded as entirely concerned with a single subject, being an account of αἱ ἀρχαί, the 'posts of power or service, honour or emolument, for which the Athenian citizen becomes eligible or qualified sooner or later,' when once the franchise is conferred on him. It may be divided into four sections (i) the conditions of the franchise (c. 42); (ii) the exercise of the full franchise in the ἐγκύκλιοι ἀρχαί (cc. 43—62), first the κληρωταί, the Council with sundry other authorities (43—54), and the Archons (55—59). From these may be detached (iii) the χειροτονηταί ἀρχαί, or ἀρχαί πρὸς πόλεμον (61), and (iv) the Dikasteria (63 to end), placed here because they are permanent and not concerned with administration (ἡ διοίκησις), although recruited by the Lot (Mr Macan, *J. H. S.*, xii 21). Or, again, we may for convenience use ἀρχαί in the narrower sense, and divide the second part into three main portions under the head of (i) πολιτεία (c. 42); (ii) ἀρχαί (cc. 42—62); (iii) δικαστήρια (cc. 62 to end).

In (i) we have first an account of the method of enrolling citizens, with interesting details as to the military training of youthful citizens between the ages of 18 and 20 (c. 42). In (ii) the foremost place is occupied by the administrative functions of the Council and of the officials who act in concert with it (43—49); while the ἐκκλησία is only briefly dealt with in connexion with the πρυτάνεις and πρόεδροι in c. 43 and c. 44. Then follow certain other officials appointed by lot, with some account of the public Arbitrators (50—54), and the nine Archons (55—59), with a detailed statement of the duties of the Archon (56), the Basileus (57), the Polemarch (58) and the Thesmothetæ (59) respectively. Next come the δόλοθῆται, with some notice of the Sacred Olives (60). Thus far for officials appointed by lot. Next in order we have the military officers (61), who have already been briefly mentioned with other officials elected by show of hands (43 § 1). This portion of the work closes with a chapter on Salaries (62). The remainder is entirely concerned with the Law-courts, and, in particular, with the way by which the dicasts were allotted to the several courts, the method of voting, the

measurement of time during the proceedings, and lastly the arrangements for paying the dicasts when their duties were over.

A large amount of the contents of the Second Part was already known to us in a fragmentary way, through the quotations preserved by grammarians and lexicographers; but it is a signal advantage to have before us the source of all these quotations with the opportunity of testing every statement by the light of its immediate context. We are thus at last able to deal with a first-hand authority for the Constitutional Antiquities of Athens. Whatever hesitation there may necessarily be as to the historic value of certain details in the First Part of the treatise, especially in cases where the writer is describing the institutions of a distant past, which had left behind it no contemporary records except a single chapter from the code of Dracon, with the laws and poems of Solon; or where his account refuses to be reconciled with that of writers such as Thucydides and Xenophon; there can be no question as to the great importance and the completely trustworthy character of the Second Part, with its terse and clear description of the machinery of the State towards the close of the third quarter of the fourth century B.C. And the value of all this is unimpaired by any doubts that have been entertained as to the authorship of the work.

§ 10. *Conspectus of the Literature of the Ἀθηναίων πολιτεία.*

(The order in each division is mainly chronological except in B III and IV, where it is alphabetical.)

(A) *Published before the discovery of the Papyrus in the British Museum.*

- (1) Aristotelis rerum publicarum reliquias collegit **C. F. Neumann**. Heidelberg, 1827.
- (2) Heraclidis politiarum quae extant recensuit **F. G. Schneidewin**. Göttingen, 1847.
- (3) Fragmenta historicorum Graecorum collegit **C. Müller**; vol. II pp. 102—107; Heraclides, *ib.* 208—224; Paris (Didot), 1848.
- (4) **Valentini Rose** Aristoteles Pseudepigraphus, Leipzig, 1863, [quoted in this book as *Rose, A. P.*].
- (5) Die verlorenen Schriften des Aristoteles, von **Emil Heitz**, Leipzig (Teubner), 1865.
- (6) Fragmenta Aristotelis collegit disposuit illustravit **Aemilius Heitz**, Paris (Didot), Nov. 1868.
- (7) Aristotelis Opera; edidit Academia Regia Borussica. vol. v Aristotelis qui ferebantur librorum *Fragmenta* collegit **Valentinus Rose**, pp. 1535—1571 [quoted as *Rose*, 343^a to 568^a],—Index Aristotelicus, Bonitz. Berlin (Reimer), 1870.
- (8) **W. Oncken**, *Die Staatslehre der Ar. in historisch-politischen Umrissen*, vol. 2, esp. pp. 410—528 (Engelmann) Leipzig, 1875.
- (9) Aristotelis qui ferebantur librorum *Fragmenta* collegit **Valentinus Rose**, pp. 258—386 [quoted as *Rose*, 381^a to 611^a], Leipzig (Teubner), 1886.

On the Berlin Fragments.

(10) **F. Blass**, *Hermes*, 1880, xv 366. (11) **Th. Bergk**, *Rheinisches Museum*, 1881, xxxvii p. 87. (12) **H. Landwehr**, (a) *de papyro Berolinensi*, no. 163, Berlin, 1883; (b) *papyrus Berol. commentario adiecto edidit*, Gotha, 1883; and (c) in *Philologus* Suppl. v 100—196. (13) **H. Diels**, *Abhandlungen der Berliner Akademie, mit 2 Tafeln*, Mai 1885, ii pp. 1—57.

(B) *Published after the discovery of the Papyrus.*

(I) EDITIONS.

(1) Aristotle On the Constitution of Athens, edited by **F. G. Kenyon**, M.A., Fellow of Magdalen College, Oxford; Assistant in the Department of MSS, British Museum. Printed by Order of the Trustees of the Museum (Preface dated 31 Dec. 1890), 1st ed. Jan. 30, 1891; 2nd ed. Feb.; 3rd and revised ed. 25 Jan. 1892.

Preliminary notice of discovery in the *Times*, 19 Jan. (reprinted in *Classical Review*, v 70); Reviews of 1st or 2nd ed.:—in *Times*, 30 Jan. '91; *Athenaeum*, 4 April, p. 434—6; *Saturday Review*, 21 March, p. 358; *Edinburgh Rev.*, April, p. 470—494; *Revue de l'Instruction Publique en Belgique*, pp. 133—9; and elsewhere: also in signed (or acknowledged) articles by Mr Macan, Mr F. T. Richards, Prof. Tyrrell, Prof. Gildersleeve and Prof. J. H. Wright; M. Dareste, M. Haussoullier and M. Weil; Prof. Blass, Prof. Diels, Prof. Bruno Keil, P. Meyer, and G. J. Schneider (see under their respective names in B III). Review of 3rd ed. in *Academy*, 8 June '92. Descriptive article (signed κ) in *Review of Reviews*, 14 Feb. '91, with reduced facsimile of col. 29 and 30.

(2) Aristotle on the Constitution of Athens. Autotype Facsimile ed. 22 Plates, 20 x 15 inches. Folio; ed. 1, March, '91; ed. 2 in the same year.

Reviews in *Times*, 4 March, '91; *Athenaeum*, 4 April, p. 434—436, and elsewhere.

(3) 'Αθηναίων πολιτεία ἐκδομένη ἐπὶ τῇ βίβλει τῆς δευτέρας ἀγγλικῆς τοῦ Κ. Κένυον ἐκδόσεως. Α. 'Αγαθόνικος. (Barth and Christ) Athens; 1891.

(4) Aristotele, la Costituzione degli Ateniesi, testo greco, versione italiana, introduzione e note di **G. Ferrini**. (Hoepli) Milan [rev. in *Athenaeum*, 5 Sept. '91, p. 317].

(5) Aristotelis Πολιτεία 'Αθηναίων, ediderunt **G. Kaibel** et **U. de Wilamowitz-Moellendorf**, '91. ed. 1, July; ed. 2, September (Weidmann) Berlin [reviewed in *Berl. Philol. Wochenschr.*, 1892, p. 453 (F. Cauer); *Neue Philol. Rundschau*, '92, p. 210 (P. Meyer); *Lit. Centralblatt*, '92, n. 2, p. 56; *Revue des études grecques* iv 405 (Weil); *Deutsche Literaturzeitung*, '91, p. 1639 (Gomperz); and elsewhere].

(6) Aristotelis quae fertur 'Αθηναίων πολιτεία. Post Kenyonem recensuerunt **H. van Herwerden** et **J. van Leeuwen**; accedunt MSTI Apographum, Observationes Palaeographicae cum Tabulis iv, Indices Locupletissimi; (Sijthoff) Leyden, '91 [reviewed in *Berl. Philol. Wochenschr.*, 1892, pp. 613, 649; *Class. Rev.* vi 20—24; *Neue Philol. Rundschau*, '92, p. 210 (P. Meyer); and elsewhere].

(7) Aristotelis Πολιτεία 'Αθηναίων, edidit **F. Blass** (Teubner) Leipzig, Jan. 1892 [reviewed in *Wochenschr. f. klass. Philol.* no. 38; and elsewhere].

(8) a school-edition of c. 1—41, by **Karl Hude** of Copenhagen (Teubner, Leipzig, Dec. 1892).

Editions have also been promised by

(9) **H. Diels** (Berlin); (10) **B. Haussoullier** (Paris).

(II) TRANSLATIONS.

English. (1) with Introduction and Notes (and Facsimile of first eleven lines of col. 10) by **F. G. Kenyon**, M.A. (Bell) London, July, 1891. (2) **E. Poste**, M.A., Fellow of Oriel Coll., Oxford; (Macmillan) London, July, '91; ed. 2, Dec. '92. (3) **T. J. Dymos**, B.A., late Scholar of Lincoln Coll., Oxford; (Seeley) London, 1891.

German. (4) G. Kaibel u. A. Klossing, two editions in 1891; (Trübner) Strassburg. (5) F. Poland (Langenscheidt) Berlin, '91. (6) M. Erdmann (Neumann) Leipzig, 1892. (7) H. Hagen see in III (31).

French. (8) Th. Reinach (Hachette) Paris; (9) B. Haussoullier (Bouillon) Paris, Nov. 1891.

Italian. (10) C. Ferrini (Hoepli) Milan; (11) C. O. Suretti (Loescher) Turin.

Russian. (12) Belajew, Kasan; (13) anonymous translation in *Journ. d. kais. russ. Ministeriums d. Volksaufklärung*, Jul.—Aug. '91.

Polish. (14) L. Owiński, Krakau, Nov. '91.

(Several of the above Translations are reviewed in the *Athenaeum*, 5 Sept. '91, p. 316, and by Mr F. T. Richards in the *Academy*, 15 Aug., '91, p. 137.)

(III) SIGNED (OR ACKNOWLEDGED) CONTRIBUTIONS TO PERIODICAL PUBLICATIONS &c.

(ems. = emendations)

- (1) Adam, J., On Solon in c. 12 § 5 *πρὸς ἀνταράξας πῶς ἐξεῖλεν γάλα*. *Academy*, 14 March, '91, p. 259. (2) Allen, F. D., Prof. Wright's paper in 1888, on the date of Cylon; *The Nation*, 5 March, '91, p. 197. (3) Baner, A., (a) Vortrag in Graz, 18 Feb.; *Wissenschaftliche Rundschau der Münchner Neuesten Nachrichten*, no. 97, 103, 109. (b) *Preussische Jahrbücher*, vol. 68, part 1. See also IV (1). (4) Bernardakis, G., 'Ἐπιστολὴ περὶ τῆς πολ. Ἀθ. τοῦ Ἀρ., ἀνατύπωσις τῆς Ἐφημερίδος, Athens, '91. (5) Bann, A. W., On c. 25, *Academy*, 14 March, '91, p. 259. (6) Blass, F., Review in *Litterarische Centralblatt*, 28 Feb. 301—4 (with numerous emendations, reprinted in *Class. Rev.* v 175). See also ed. in I (7). (7) Brieger, A., die Verfassungsgeschichte von Athen, nach Aristoteles' neu angefundener Schrift, *Unsere Zeit*, ii 18—36, '91. (8) Brooks, E. H., ems. in *Class. Rev.* v 182. (9) Burnet, J., ems. in *Class. Rev.* v 107, 117. (10) Bury, J. B., ems. in *Academy*, 7 March, '91, p. 234; *Athenaeum*, p. 344; (= *Class. Rev.* v 175). (11) Busolt, G., 'zur Gesetzgebung Dracons,' *Philologus*, vol. 50, pp. 393—400. (12) Butcher, S. H., c. 13, 21, *Class. Rev.* v 178. (13) Bywater, I., ems. in *Academy*, 14 Feb. '91, p. 163—4 (= *Class. Rev.* v 105—). (14) Campbell, Lewis, ems. in *Class. Rev.* v 105—, 119. (15) Chinook, E. J., 'Rare Words,' *Class. Rev.* v 229. (16) Chodolnial, J., General article in *Journal d. k. Russ. Min. der Volksaufklärung*, May '91, p. 58—70 (in Russian). (17) Comparetti, D., *Nuova Antologia*, xxvi 3, vol. 34, fasc. 13. (18) Cox, Rev. Sir G. W., 'Aristotle as an Historian,' *Academy*, July—Aug. '92, pp. 52, 111, 152, 171. (19) Crustius, O., 'die Schrift vom Staate der Athener, und Aristoteles über die Demokratie,' *Philologus*, vol. 50, pp. 173—8. (20) Curtius, E., *Berl. Arch. Gesellschaft* (*Berl. Philol. Wochenschrift*, '91, p. 27). (21) Dareste, E., (a) *Séances et travaux de l'Acad. des Sciences Morales et Politiques*, '91, p. 341—364 (abstract of Part ii); (b) *Journal des Savants*, May, '91, p. 257—273. (22) De Sanctis, G., 'Studi sull' Ἀθ. πολ.,' *Rivista di filologia*, vol. xx p. 147—163. (23) Diels, H., (a) *Deutsche Literaturzeitung*, '91, no. 7, p. 239—242; no. 24, p. 878; (b) *Archiv f. Geschichte der Philosophie*, iv 478; (c) On Epimenides, *Sitzungsberichte der Berliner Akademie*, '91, p. 387. (24) Ellis, Robinson, ems. in *Class. Rev.* v 181—2. (25) Fraenkel, M., (a) *Zeitschrift f. Geschichtswissenschaft*, '91, p. 164—7; (b) *Rh. Mus.* xlvii 473. (26) Genadios, A., 'Ἀκρόπολις, Athens, 18 March—2 April (*Class. Rev.* v 274). (27) Gertz, M. C., (a) *Filologische Tidskrift*, '91, p. 252—5; (b) *Jahrb. f. Philologie*, '91, p. 192. (28) Gildersleeve, E., Rev. in *American Journal of Philology*, xii 97, cf. *ib.* i 458, iv 92, on Solon in c. 12 § 5, *πρὸς ἀνταράξας*. (29) Giles, F., *English Historical Review*, April, '92. (30) Gomperz, Th., (a) 'Aristoteles u. seine neuentdeckte Schrift,'

- Deutsche Rundschau*, xvii 219, May, '91; (b) 'Ueber das neuentdeckte Werk des Ar., U. die Verdächtiger seiner Echtheit,' *Anzeiger der Wiener Akademie*, no. xi (3) [both printed separately]; (c) *Deutsche Literaturzeitung*, '91, no. 24, p. 877; no. 45, p. 1639. See also IV (5). (31) **Hagen, H.**, trans. in *Schweizerische Rundschau*, '91, no. 4—6. (32) **Harberton, Lord**, On c. 35 § 1, *Class. Rev.* vi 123. (33) **Hardie, W. B.**, 'The *δαιτυρσις*' (c. 53), *Class. Rev.* v 164. (34) **Hartman, J. J.**, general descriptive article in *De Nederlandsche Spectator*, 14 March, '91. (35) **Haskins, C. E.**, em. (20, 5) *Class. Rev.* v 111 b. (36) **Haussoillier, B.**, (a) *Revue des Études Grecques*, no. 12 (belated no. for Dec. 1890), p. 475; (b) *Revue Critique*, '91, no. 10, p. 181—6; '92, no. 10, p. 179—183; (c) *Acad. des Inscr. et Belles Lettres*, '91, Feb. 13 and 20; (d) *Revue de Philologie*, xv 2, p. 98 f. (37) **Havell, H. L.**, 'The Great Discovery,' *Macmillan's Mag.*, March, '91, p. 392—400. (38) **Headlam, J. W.**, (a) 'The Constitution of Draco' (c. 4), *Class. Rev.* v 166—9; (b) 'On the use of the *hiatus* in the Πολιτεία,' *ib.* 270—2; (c) 'Notes on Early Athenian History (i) The Council: ἐφέται and ναύκρατοι,' *ib.* vi 249—253, and (ii) 'The Council,' *ib.* 293—8. See also IV (8). (39) **Herwerden, H. van**, (a) *Berl. Philol. Wochenschrift*, '91, pp. 322, 418, 610; (b) *Mnemosyne*, '91, p. 168. See also ed. in I (6). (40) **Hicks, B. D.**, ems. *Camb. Philol. Soc. Proc.*, 12 Feb. '91, p. 10; *Class. Rev.* v 111 a, 116 b. (41) **Hill, G. F.**, c. 25, *Class. Rev.* v 169; 176. (42) **Holsinger**, 'Aristoteles' athenische Politie und die Heraklidischen Excerpte,' *Philologus*, vol. 50, p. 436—446. (43) **Housselman, A. E.**, em. in *Class. Rev.* v 110 a. (44) **Houtama, E. O.**, *Berl. Philol. Wochenschr.*, 27 Jun. '91, p. 801. (45) **Hude, O.**, 'Coniecturae Aristotelicae,' *Filologische Tidskrift*, '91, p. 248—251. (46) **Hultsch, F.**, 'Das Pheidonische Masssystem,' *Jahrb. für Philol.*, '91, p. 262—4. (47) **Immisch, O.**, On c. 41, *Berl. Philol. Wochenschr.*, '91, p. 707. (48) **Jackson, H.**, ems. in *Camb. Philol. Soc. Proc.*, 12 Feb. '91; *Class. Rev.* v 105—, 122. (49) **Kalbel, G.**, article in *Nord und Süd*, Apr. '91, p. 80—92; cf. I (5). (50) **Kell, Bruno**, (a) rev. of Mr Kenyon's ed. in *Berl. Philol. Wochenschr.*, '91, 25 April—16 May; also separately printed, pp. 56; (b) rev. of van Herwerden and van Leeuwen's ed., *ib.* '92, pp. 613, 649. Cf. IV (10). (51) **Kenyon, F. G.**, (a) 'New Readings,' *Class. Rev.* v 269—; (b) 'Recent Literature,' *ib.* 332. See also edd. in I (1). (52) **Kontos, K. S.**, (a) *Le Spectateur* (Athens), 13 Apr. '91; (b) Ἀθηνα, iii 289—400; (c) Στάδ, i 44. (53) **Lacon, B.**, 'Hulpa' (Athens). (54) **Lean, W. S.**, *Academy*, 7 March, '91, p. 234. (55) **Leeuwen, J. van**, (a) *Mnemosyne*, xix 2, April, '91, reprinted in *Class. Rev.* v 224; (b) *Verslagen en Medelingen der Kon. Acad. v. Wet. afd. Letterkunde*, 1891 (May), p. 154—176. See also ed. in I (6). (56) **Lipsius, J. H.**, *Verhandlungen d. k. Sächs. Gesellschaft d. Wissenschaften*, '91, p. 41—69 (also printed separately). (57) **Macan, E. W.**, (a) Review of Mr Kenyon's first ed. in *Oxford Magazine*, 4 Feb. '91; (b) *Journal of Hellenic Studies*, April, xii 17—40 (on the historical aspect of the 'Ἀθ. πολ., 11 March, '91). (58) **Maehly, G.**, Review in *Rivista di Filologia*, '91, p. 551—7. (59) **Marchant, E. O.**, (a) 'The Deposition of Pericles' (c. 44), *Class. Rev.* v 165—6; (b) Emendations, *ib.* v 105—. (60) **Marindin, G. E.**, *Class. Rev.* v 176, 177, 181. (61) **Mayor, John E. B.**, (a) ems. &c. in *Camb. Univ. Reporter*, 3 March, '91, p. 607; *Class. Rev.* v p. 105—; (b) references on subject-matter, *ib.* 120—2; also in *Proceedings of the Camb. Philological Society*, 17 and 26 Feb. '91, pp. 10—15. (62) **Mayor, Joseph B.**, (a) on c. 7 § 4, and c. 17 § 4, *Academy*, 28 March, '91, p. 304; (b) 'Unaristotelian words and phrases,' *Class. Rev.* v 122—185; (3) em. *ib.* 175. (63) **Murray, A. S.**, on c. 7 § 4, *Class. Rev.* v 108. (64) **Newman, W. L.**, (a) Review of Mr Kenyon's ed. in *Class. Rev.* v 155—164; (b) em. *ib.* 105—. (65) **Nicklin, T.**, ems. in *Class. Rev.* v 227, 228. (66) **Niemeyer, K.**, *Jahrb. für Philol.* '91, p. 405—

415. (67) Oman, C. W., paper read at meeting of Historical Society, 19 Nov. '91 (*Academy*, 28 Nov., p. 483). (68) Pais, E., *Rivista di Filologia*, xix 557—569. (69) Pantasidis, φιλολογικὸν παράρτημα τῆς Ἑστίας, 1891. (70) Papabasilaios, Ἀθηνᾶ, ii 278—288. (71) Paton, W. B., (a) *Athenaeum*, 21 Feb. '91, p. 251, and *Class. Rev.* v 105—, 175—, 225; (b) 'The Attic Phratries,' *ib.* 221. (72) Platt, A., ems. in *Class. Rev.* v 109, 175—, 185. (73) Poland, F., *Jahrb. für Philol.* '91, p. 259—262. (74) Radinger, O., *Philologus*, vol. 50, pp. 229, 400, 468. (75) Reinach, Th., (a) 'Trois Passages du livre d'A. &c.' (on cc. 4, 8, 25) *Académie des Inscr. &c.*, 5 June, '91; *Revue Critique*, n. 24; (b) 'La Constitution de Dracon et la Constitution de l'an 411,' *Revue des Études Grecques*, '91, p. 82; (c) 'Aristote ou Critias?', *ib.* 143—158. (76) Richards, F. T., (a) Rev. of Mr Kenyon's ed. in *Academy*, 14 Feb. '91, p. 165—7; (b) Rev. of Bauer's *Forschungen* and of Mr Kenyon's and Mr Poste's Translations, *ib.* 15 Aug. '91, p. 137—8; (c) Letter, *ib.* 13 Aug. '92, p. 133, mainly on discrepancies between *Politics* and Ἀθ. πολ. (77) Richards, Herbert [quoted in critical notes by surname only], (a) ems. in *Academy*, 14 Feb. '91, p. 163—4; and 18 Apr. p. 371; (b) ems. in *Class. Rev.* v 105—, 122, 175, 224, 334; (c) 'Unaristotelian words and phrases,' *ib.* 184, 272. (78) Ridgeway, W., *Academy*, 21 Feb. '91, p. 186—7 (*Class. Rev.* v 109). See also *Origin of Metallic Currency and Weight Standards*, pp. 306, 324. (79) Buehl, F., (a) *Rhein. Mus.*, '91, p. 426—464; (b) *Wochenschr. für klass. Philol.*, '92, no. 1; cf. (128). (80) Rutherford, G., (a) 'The New Aristotle Papyrus in its bearings on Textual Criticism,' *Class. Rev.* v 89—91; (b) ems. *ib.* 105—, 175. (81) Saint-Hilaire, B., *Revue Bleue*, 21 March, '91. (82) Sandys, J. E., (a) ems. in *Academy*, 7 Feb. '91, p. 137 (*Class. Rev.* v 105—); (b) ems. &c. *Camb. Phil. Soc. Proc.*, 26 Feb. '91, p. 14 (with additions in *Class. Rev.* v 119—120). (83) Schneider, G. J., Review of Mr Kenyon's ed. in *Wochenschr. für klass. Philol.*, 29 Apr.—20 May, '91, pp. 371, 498, 528, 544. (84) Schoell, B., *Münchener Allgemeine Zeitung*, Beilage, no. 106—109; Sonderabdruck der 41 Philol.-Versammlung in München, Mai '91 (J. G. Cotta) Munich. (85) Schwarz, J., *Ungarische Revue*, Apr. '91. See also IV (12). (86) Sidgwick, A., ems. in *Class. Rev.* v 105—. (87) Stewart, J. A., em. in *Academy*, 7 March, '91, p. 234 (*Class. Rev.* v 179). (88) Smith, Cecil, Ostracism of Xanthippus, *Class. Rev.* v 277. (89) Smith, J. A., em. in *Academy*, 14 Feb. (*Class. Rev.* v 118). (90) Ssanto, B., *Wochenschr. für klass. Philol.*, '91, p. 761. (91) Thompson, E. S., (a) em. in *Class. Rev.* v 223, 224—; 277; (b) The Draconian Constitution, *ib.* 336; (c) Date of the Expulsion of the Pisistratids, *ib.* vi 181; (d) Age of the διατηρητά, *ib.* 182. (92) Torr, Cecil, (a) on the date, *Athenaeum*, 7 Feb. (*Class. Rev.* v 119 note); (b) on 51 § 4, *Class. Rev.* v 117; (c) on the σπαργητοί in c. 61, *ib.* p. 119; (d) on c. 54, the Delian festival, *ib.* 277. (93) Tyrrell, B. Y., (a) ems. in *Academy*, 28 Feb. '91, p. 210; 7 March, p. 234 (*Class. Rev.* v 175—); (b) 'The New Papyri,' *Quarterly Review*, April, '91, p. 320—350. (94) Vanderkindere, *Revue Belgique*, March, '91. (95) Wachsmuth, O., 'zur Topographie von Athen,' *Rheinisches Museum*, '91, Heft 2. (96) Walker, E. M., Chronology of 462—445 B.C., *Class. Rev.* vi 95. (97) Wardale, J. B., *Class. Rev.* v 273. (98) Weil, H., *Journal des Savants*, April, '91, p. 197. (99) Whibley, L., (a) on cc. 22, 23, 28, *Class. Rev.* v 168—9; (b) em. *ib.* 180; (c) on the Authorship, *ib.* 223. (100) Wright, J. H., (a) Review of Mr Kenyon's ed. in *The Nation*, 7 May, '91; (b) 'Did Philochorus quote the Ἀθ. πολ. as Aristotle's?', *American Journal of Philology*, xii 3, 310—318. (c) 'The Date of Cylon,' a Study in early Athenian history, *Harvard Studies in Classical Philology*, iii 1892. Also reprinted, pp. 80 (Ginn and Co.) Boston. (101) Wyse, W., (a) ems. in *Camb. Phil. Soc. Proc.* for Feb. 12, '91; also in *Athenaeum*, Feb. 14

and 21, and *Academy*, 21 Feb. p. 186 (*Class. Rev.* v 105—); (b) *ems.* in *Class. Rev.* v 225—; (c) notes, *ib.* 122, 224, 274—6, 335—6; (d) on *προβαλεῖν*, 16 § 2, *ib.* vi 254—7.

Many of the following articles appeared at a later date than the above:—

- (102) **Bérard, J.**, *Aristote, La Constitution d'Athènes*, (Extrait) Paris. (103) **Beüge**, popular article in *Gegenwart*, '91, no. 29. (104) **Buseckul**, (a) on cc. 4 and 25, *Journ. d. Min. der Volksaufkl.*; noticed in *Berl. Phil. Woch.*, 8 Oct. '92, p. 1289; (b) in *Russ. hist. Rundschau*, ii 221—239 (both in Russian). (105) **Cauer, Paul**, *Aristoteles Urteil über die Demokratie*, *Fleckeisen's Jahrb.* '92, p. 581—593. (106) **Cavazza, P.**, *Discorso* in *Annuario dell' Istituto di studi superiori in Firenze*, pp. 20, '92. (107) **Derewitzki, A.**, (in Russian) Charkow, '91. (108) **Dimitzas, M. G.**, 'Ελλάς, iii 4 p. 357—379. (109) **Duemmler, F.**, *Die 'Aθ. πολ. des Kritias*, in *Hermes*, '92, p. 260—280. (110) **Ferrini, G.**, *Rendiconto dell' Ist. lombardo*, ser. ii, vol. xxiv, fasc. 8—9. (111) **Fontana, G.**, On Aristides in 'Aθ. πολ., pp. 26, (Tedeschi) Verona. (112) **Fraccaroli, G.**, *due versi di Solone* (c. 12, 28), in *Rivista di Filologia*, xxi, p. 49—50. (113) **Goodell, T. W.**, 'Ar. on the Athenian Arbitrators' in *Amer. Journ. of Philology*, xii 319—326. (114) **Grunzel, J.**, (Friedrich) Leipzig. (115) **Hertz, M. G.**, On c. 38, *Jahrb. f. Philol.*, '91, p. 192. (116) **Hude, K.**, On the murder of Hipparchus (where Ar. differs from Thuc. he is probably following Androtion), *Jahrb. f. Philol.*, '92, p. 171—6. (117) **Knoke, F.**, popular article in *Grensböten*, '91, no. 43—44. (118) **Köhler, U.**, (A) On Heracleides of Clazomenae, *Hermes*, '92, p. 68 f. (B) *Die Zeiten der Herrschaft des Peisistratos; Sitzungsberichte* of the Berlin Academy, 7 April, '92, pp. 339—343; a not entirely accurate abstract in *Berl. Phil. Woch.*, 13 Aug. p. 1053—6. [(a) The account of Peisistratus in cc. 14, 15 is primarily derived from Hdt. i 59—64, combined (but not harmonised) with other sources of information. The second exile lasted 10 years; the first *ῥυπαρίς* 5; and the first exile and the second and third *ῥυπαρίς*, 6 years each. This result was probably obtained by deducting the 10 years of the second exile from the 33 years of c. 17, and dividing the remainder (23) into four approximately equal parts, thus making the *ῥυπαρίς* last for 17 years in all, and the exile for 16 years. The 19 years of *ῥυπαρίς* in c. 17 § 1, which are inconsistent with this, are obtained (as already suggested on p. 76 a) by deducting the 17 years of the rule of the Peisistratidae (c. 19 ult.) from the 36 years assigned by Hdt. to the rule of Peisistratus and his sons. (The connexion of Peisistratus with Rhaecelus explains the offer of Amyntas I to allow Hippas to settle at the neighbouring town of Anthemús, Hdt. v 94.) (b) The author's method of combining different sources of information is further illustrated by comparing his account of Cleisthenes (c. 20—21) with that of Hdt. (The beginning of the *σφάνδρις* is placed by Köhler before 508/7, and the reforms of Cleisthenes in 507/6.) (c) In the figures given in c. 24 the main stress is laid on the total, 20,000 (cf. Arist. *Vesp.* 706—8), not on the details; it is an exaggeration to put the number of the ἀρχαὶ ἐνθημοὶ and ὑπερόριοι at 700 each; and the estimate of 2500 hoplites and 20 guardships properly belongs to the time of the battle of Tanagra. A body as numerous as the 2,000 φρουροὶ must have held office for more than a year. (d) c. 25 describes the censorial powers of the Areopagus as ἐπίθερα, whereas, in cc. 3, 4, 8, these powers are described as having belonged to it from the earliest times. Hence we may infer that c. 25 is founded on a different account of the historical development of the powers of the Areopagus to that followed in the previous chapters. Further, it is more probable that Ephialtes, in his attack on the Areopagus, cooperated with Pericles than with Themistocles. The story about the latter in c. 25 is a läppische, chronologische unmögliche Erzählung, probably borrowed from some such writer as Stesimbrotus.]

- (119) **Kurze, F.**, *Westermann's Monatshefte*, Nov. '91, p. 281—4. (120) **Mahaffy, J. P.**, *obiter dicta in Problems in Greek History*, pp. 84, 87, 89, 96, 122, 128. (121) **Melber, J.**, *Aristoteles 'Αθηναίων πολιτεία u. die bisher darüber erschienene Litteratur in Blätter für das bayerische Gymnasialwesen* xxviii 1, p. 29—44 (*Class. Rev.* vi 375). (122) **Meyer, P.**, (a) *der neue Ar. u. die Schule*, in *Gymnasium*, '92, no. 2—3; (b) *Reviews in Zeitschr. f. d. Gymnasialwesen*, XLVI 144—155. (123) **Müller, H. C.**, in *Ελλάς* iv, pp. 76 ff, and **Kenyon**, *ibid.* 137, Leyden, '92. (124) **Munro, J. A. R.**, 'The Chronology of Themistocles' career,' *Class. Rev.* vi 333 f. (125) **Nissen, H.**, *die Staatschriften des Ar.* in *Rhein. Mus.* '92, vol. 47, pp. 161—206 (holds that the *Πολιτεία* were intended to lead up to the publication of a code for the dominions of Alexander, and also to serve as a series of hand-books for the use of Macedonian diplomatists. The article is ably criticised by Bruno Keil, *die Solonische Verfassung*, p. 127—150). (126) **Piccolomini, Aeneas**, *In Aristot. et Herodam animadv. criticae*, in *Rivista di filologia*, xx p. 456—264, Turin, 1892. (127) **Postgate, J. P.**, em. *ἡλόσατε* for *δόσατε*, in c. 5, 16 (*Class. Rev.* v 109). (128) **Euehl, F.**, *Der Staat der Athener und kein Ende*, in *Jahrb. f. class. Philol. Suppl. Bd.*, 18, pp. 675—706; also reprinted (Teubner) Leipzig. [Rev. in *Neue Philol. Rundschau*, '92, no. 15, p. 229 (P. Meyer); *Woch. f. kl. Philol.* '92, no. 35, p. 949 (G. J. Schneider); *Berl. Phil. Woch.* 15 Oct. p. 1317 (Schöffner). 'Fassen wir des Ergebniss meines ersten Aufsatzes (79) und das der vorstehenden weiteren Ausführungen zusammen, so ergibt sich die neue Schrift als ein Werk, das sich sehr nahe an die aristotelische 'Αθ. πολ. anschloss, stellenweise fast oder ganz wörtlich, das ihr manche feine, echt aristotelische Wendung verdankte, das sie aber einerseits an vielen Stellen zusammenzog, anderseits dagegen auch erweiterte und möglicherweise auch einzelne Partien durch andere ersetzte' (p. 700). He holds that the editor of the work was 'Herakleides Lembos' (p. 701 f.).] (129) **Schöffner, Val. von**, (a) On the date of the 'Αθ. πολ. in *Introd. to Bürgerschaft u. Volksversammlung zu Athen*, I, Moscow, '91 (in Russian), *Berl. Phil. Woch.* 8 Oct. '92, p. 1290; (b) *Reviews in Berl. Phil. Woch.* 8 and 15 Oct. '92. (130) **Schultz, H.**, *Russ. Phil. Rundschau*, ii p. 33—44 (in Russian). (131) **Stern, E. v.**, *die neuentdeckte 'Αθ. πολ. des Ar* pp. 42 (Abdruck aus B. II der *Annal. der hist.-phil. Ges.*, in Russian, Odessa, '92; [attacks the views of Schwarcz, Rühl and Cauer, *Berl. Phil. Woch.* 8 Oct. '92, p. 1291]. (132) **Szanto, E.**, *zur drakonischen Gesetzgebung*, in *Arch.-epigr. Mittheilungen aus Oesterreich*, xv 2, p. 180—2. (133) **Tacchi-Venturi, Civiltà Cattolica**, xii no. 995—6. (134) **Zielinski, Th.**, on c. 4, in *Russ. Phil. Rundschau*, i 2, p. 125 f. (in Russian). (135) **Zingerle, A.**, *Zeitschrift f. d. Oesterr. Gymn.* xliii 207 f.

(IV) SEPARATE WORKS.

- (1) **Bauer, A.**, *Litterarische u. historische Forschungen zu Aristoteles' 'Αθ. πολ.* (C. H. Beck) Munich, pp. 190, May '91. (Rev. in *Athenaeum*, 5 Sept. '91, p. 317; *Academy*, 15 Aug. '91, p. 137; *Berl. Phil. Woch.* 15 Oct. '92, p. 1321, Schöffner; and elsewhere.) [In three parts: (1) On the relations of Ar. to the historical literature of Greece; (2) historical results derived from the 'Αθ. πολ.; (3) Chronological tables, drawn up in accordance with the dates given in the 'Αθ. πολ.]
- (2) **Cassel, Paulus**, *Vom neuen Aristoteles u. seiner Tendenz* (Bibliograph. Bureau) Berlin, '91. (Rev. in *Berl. Phil. Woch.* 15 Oct. '92, p. 1320, Schöffner; and elsewhere.) [An unscholarly pamphlet, describing the ideal of the author of the 'Αθ. πολ. as 'die alte, erbliche, patriarchalische, gewissenhafte, königliche Verfassung.']
- (3) **Cauer, Fr.**, 'Hat Aristoteles die Schrift vom Staate der Athener geschrieben?

ihr Ursprung und ihr Wert für die ältere athenische Geschichte, (Götschen) Stuttgart, pp. 78, '91. (Rev. in *Academy*, 6 June '91, p. 540; *Athenaeum*, 5 Sept. '91, p. 317; *Deutsche Literatur-Zeitung*, p. 878, Diels; *Litt. Centralblatt*, p. 1120; *Wochenschr. f. kl. Phil.* no. 28, Szanto; *Gymn.* p. 567, P. Meyer; *Berl. Phil. Woch.* '92, p. 1288, Schöffer; and elsewhere.) [Argues against the treatise being the work of Aristotle.]

(4) **Droysen, H.**, *Vorläufige Bemerkungen zu Aristoteles' 'Aθ. πολ., Oser Programm des königstätt. Gymn. (Gärtner) Berlin, '91.* [Mainly chronological.]

(5) **Gompers, Th.**, *Die Schrift vom Staatswesen der Athener und ihr neuester Beurtheiler*, (Holder) Vienna, '91. [A polemical pamphlet directed mainly against Dr Franz Rühl's article in *Rheinisches Museum*, xlvii 426.]

(6) **Hagfors, E.**, *de praepositionum in Ar. Politicis et in 'Aθ. πολ. usu*, Helsingfors Dissertation, pp. 130 (Mayer u. Müller, Berlin, '92). [Rev. in *Woch. f. kl. Philol.* '92, p. 997. The net result of this elaborate statistical investigation is that, in the prepositions, the writer finds nothing in the 'Aθ. πολ. divergent from the usage in the *Politics*. On the other hand, there is little in the use of prepositions in the former that is distinctively characteristic of Aristotle. This is limited to the use of ἐξ ἀρχῆς (for ἐν ἀρχῇ), ἐξ ἀπαρχῆς, and οὐ περὶ τῶα. The conclusion is:—'quantum ex praepositionum usu concludere licet, ille liber ab Aristotele potest esse conscriptus.']

(7) **Hammond, B. E.**, *Greek Constitutions*, (a sketch including fresh details from the 'Aθ. πολ.) pp. 68 (E. Johnson) Cambridge, '91.

(8) **Headlam, J. W.**, Appendix to Historical Essay, *Election by Lot at Athens*, pp. 183—190, (University Press) Cambridge, '91. See also III (38).

(9) **Hertzog, E.**, *Zur Litteratur über den Staat der Athener*, pp. 83 (Fues) Tübingen, Nov. '92. (1) On [Xen.] 'Aθ. πολ.; (2) on Ar. 'Aθ. πολ. c. 4.

(10) **Kell, Bruno**, *Die Solonische Verfassung nach Aristoteles*, pp. 248 (Gärtner) Berlin, Nov. '92. [Ar. was engaged in the preparation of the *Politics* from about 350 to 335 B.C. It was apparently after this that he put into shape the materials collected for his *Πολιτεία*, the redaction of the 'Aθ. πολ. falling between 329 and 325. In its polemical passages and elsewhere, it shows the influence of the 'Aθ. πολ. of Andronicus, besides other traces of further research subsequent to the preparation of the *Politics*. It was intended for publication, as is proved by the elaborate style of certain portions, by the attention paid to rhythm at the ends of the sentences, by the avoidance of *hiatus*, and by other indications of deliberate purpose and methodical plan. The work did not, however, receive the author's finishing touches, and was probably not given to the world until after his death.—The text of chaps. 5—13 is printed with critical notes, followed by a commentary on each chapter, together with many valuable remarks on the work as a whole. Among the restorations of the text here proposed are c. 9, 11 δπως περὶ τῆς κλεισεως δ δ]ῆμος ἢ κύριος, c. 10, 5 παρ' ὁ[λιγο]νχc. 11, 10 γενεσθαι τὴν [νέαν] τάξιν, c. 11, 12 ἢ σ[χεδὸν ἀ]παράλλα[κτον].]

(11) **Meyer, Peter**, Des Aristoteles' Politik u. die 'Aθ. πολ., nebst einer Litteratur-Uebersicht, pp. 72 (Cohen) Bonn, '91. (Rev. in *Berl. Phil. Woch.* 8 Oct. '92, p. 1291, Schöffer; and elsewhere.) [Gives some useful parallel passages from the *Politics*; but goes too far in contending that *Politics* ii 12 and c. 4 of 'Aθ. πολ. are both equally authoritative.]

(12) **Schwarz, Julius**, 'Aristoteles u. die 'Aθ. πολ.,' I Abtheilung des Werkes *Die Demokratie*, pp. 25 (Friedrich) Leipzig, '91. [Ascribes the treatise to Demetrius Phalereus.]

(13) **Schjott, P.** *Aristoteles om Athens Statsforfatning*. Christiania, '91, Dybwad. (Rev. by B in *Lit. Centralblatt*, no. 29, p. 1025.)

(14) **Wright, J. H.** *The Date of Cylon*, (Reprint of III (100 c), 1892); noticed

in *Academy*, 11 June, '92, p. 570; *Class. Rev.* vi 457; *Berl. Phil. Woch.* '92, p. 1555; and elsewhere. [Places the attempt of Cylon between 636 and 624 B.C., and the trial and banishment of the Alcmaeonidae, and the visit of Epimenides, in 615.]

The principal books of reference used in preparing the commentary are: (a) the *Corpus Inscriptionum Atticarum*, quoted as CIA; with E. L. Hicks, *Gk. Historical Inscriptions*, and Dittenberger's *Sylloge*; also von Hartel's *Studien über Attisches Staatsrecht u. Urkundenwesen* (1878), and Meisterhans, *Grammatik der Attischen Inschriften*, ed. 2 (1888).

(b) the *Index Aristotelicus* of Bonitz; and the editions (or translations) of the *Politics* by Susemihl, Jowett, Newman and others; also the various editions of the *Fragments*.

(c) the Greek lexicographers, esp. Bekker's *Anecdota*, vol. i; Etymologicum Magnum (Gaisford); Harpocration (Dindorf); Hesychius (Schmidt); Photius (ed. Porson, revised by Dobree, 1822, who printed as Appendix the *Lexicon Rhetoricum Cantabrigiense*; Dobree's transcript of the latter was also published posthumously in 1834); also id. (ed. Naber, 1864—5); Pollux (Bekker); and Suidas (Bernhardy).

(d) in Gk. History:—Herodotus, Thucydides, Xenophon, also C. Müller's *Fragmenta Historicorum Graecorum*, quoted as FHG:—among modern writers, Thirlwall, Grote (ed. 1862 in 8 vols), Curtius (ed. Ward), Duncker, Busolt, Holm, Abbott; also Gilbert's *Beiträge*. In Chronology, Eusebius (ed. Schoene, 1866—75); and the *Marmor Parium* in Müller's FHG; also Clinton's *Fasti*, and Peter's *Zeittafeln*.

(e) in Antiquities and Law: (1) Boeckh, *Die Staatshaushaltung der Athener*, ed. 1, 1851, ed. 3 (by Fränkel) 1886; also the translations of ed. 1 by Sir Geo. Cornewall Lewis 1828, 1842; of ed. 2 by Lamb, Boston, U.S., 1857. (2) the new edition of K. F. Hermann's *Lehrbuch der Griechischen Antiquitäten*¹.

(3) Meier u. Schoemann, *der Attische Process*, 1824, ed. Lipsius 1881—6; also Lipsius, in *Verhandlungen d. k. Sächs. Gesellschaft d. Wissenschaften*, '91, p. 41—69. (4) G. F. Schoemann, *Antiquities of Greece*, vol. i translated by Hardy and Mann, 1880. (5) Gilbert, *Griechische Staatsalterthümer*, 1881—5 (new ed., and English trans. of vol. i in preparation).

(6) Busolt, *Die Griechischen Alterthümer*, 1887 (ed. 2, '92), and Stengel, *Sakralalterthümer*, 1890, both in Iwan Müller's *Handbuch*. (7) A. Mommsen, *Heortologie*, 1864.

(8) Smith, *Dict. of Gk. and Roman Antiquities*, ed. Wayte and Marindin (with Appendix on 'Αθ. πολ.). (9) Daremberg et Saglio, *Dict. des Antiquités*. (10) Haussoullier, *la Vie Municipale en Attique*, 1884; Hauvette-Besnault, *les Stratèges Athéniens*, 1885; A. Martin, *les Cavaliers Ath.*, 1887; Dürrbach, *L'Orateur Lycurgue*, 1890, and other monographs in the same series.

(11) Philipp, *Beiträge zu einer Geschichte des Attischen Bürgerrechtes* (1870), and *Der Areopag und die Epheten*, 1874.

(12) Fraenkel, *die attischen Geschworenengerichte*, 1877. (13) Schulthess, *Vormundschaft*, 1886. (14) U. von Wilamowitz-Moellendorf, *Aus Kydathen*, in 'Philol. Untersuchungen,' 1880. (15) Dissertations by Thumser, *de Civium Atheniensium muneribus*, 1880; Kornitzser, *De Scribis Publicis*, 1883; Haederli, *Asynomen u. Agoranomen*, 1886; Panake, *de Magistratibus Atticis, qui saeculo A. C. quarto pecunias publicas curabant*, i, 1890; and others. (16) Articles in Philological Journals, &c.

¹ Vol. I, Part ii, *Der Athenische Staat und seine Geschichte*, edited by Thumser, was published in Nov. 1892, too late to be of use in the present work.

§ 11. *Abbreviations used in the critical notes, &c.*

SIGLARIUM.

Papyri Londinensis lectiones litterae 'unciales' indicant;

[] quae in papyro prius, ut videtur, fuerunt, nunc autem evanuerunt;

< > quae in papyro per errorem omissa, propter sensum addenda sunt;

[] quae in papyro scripta, ut aliena omittenda sunt:

† obelus lectionem corruptam designat;

* asteriscus coniecturas non antea ab editore prolatas.

Editiones.

K¹=Kenyonis ed. prima; K² secunda; K³ tertia;

K-W¹=Kaibel et von Wilamowitz-Moellendorff, ed. prima; K-W², ed. altera;

H-L=van Herwerden et van Leeuwen;

B=Blass.

§ 12. *List of Illustrations.*

In Frontispiece. Fig. 1; Heliastic *πυράκιον*, from Daremberg and Saglio's *Dict. des Antiquités*, iii 190, fig. 2410; first published by M. Rayet, *Annuaire de l'Association des Études Grecques*, 1878, p. 206. See note on p. 235.

Fig. 2 and 3; two bronze counters, probably used in the allotment of citizens to the several heliastic divisions. On the obverse, four owls and two sprays of olive, encircled with the word *θεσμοθετων*. On the reverse, fig. 2 (from the Berlin Museum) bears the letter E; fig. 3 (published in *Parnassos*, Athens, 1883), the letter A. From Daremberg and Saglio, *l.c.*, fig. 2411, 2412. See note on p. 236 b.

Fig. 4 and 5; heliastic *σύμβολα*. On the obverse, a copy of the design on a *πρωτόβολον*,—an owl surrounded with two sprays of olive, and AΘH in fig. 4, Θ only in fig. 5. On the other side, a letter, probably denoting one of the heliastic sections. See note on p. 240 b. From Daremberg and Saglio, *l.c.*, fig. 2413, 2414.

Fig. 6 and 7; bronze *ψήφοι* used for voting, found at Athens (*Bull. de Corr. Hellén.* 1887, xi 210). From Daremberg and Saglio, *l.c.*, fig. 2415—6. See note on p. 246.

On p. 39; Aeginetan Didrachmon; Berlin Cabinet, Friedländer u. Sallet, *Beschreibung*, no. 2. From Baumeister's *Denkmäler*, fig. 1010.

Ibid. and *Title-page*. Early Attic Tetradrachmon; Berlin Cabinet, *u.s.*, no. 54. From Baumeister's *Denkmäler*, fig. 1013.

CORRIGENDA.

p. 2 b, l. 17 from end: read 'either as early as 636 or as late as 624.'

p. 7, l. 3: *dele* asterisk.

p. 133, in critical note on 35, 5: read *Περικλέους* K, K-W.

ADDENDA.

Introduction, p. xii. The sketch on pp. ix—xii is perhaps needlessly limited to the literature of the theory of government. A survey of 'political literature', if interpreted in its wider sense, might have included some account of the *de Pace* and the *Areopagiticus* of Isocrates. Of these two political pamphlets the first advises Athens to abandon the Empire of the Sea; the second commends the earlier mode of appointing the officers of State by election (*αἵρεσις*) rather than by lot (*κλήρωσις*), and pleads for the restoration of the censorial power once wielded by the Council of the Areopagus. Both of these works may be ascribed to the year 355 B.C., and both have important points of contact with the *Ἀθηναίων πολιτεία*, which was written nearly 30 years later. Some of these points are noticed in Bruno Keil's *Solon. Verf.*, pp. 78 ff, 215 &c.

p. 1. The observations of Blass on the *rhythm* of the *Ἀθηναίων πολιτεία* are perhaps unduly fanciful. In the extreme case quoted in the text the metrical correspondence is possibly due to accident alone. The central clause of the sentence is a quotation, *τούτου βούλεται τις κατηγορεῖν*; and it is difficult to believe that, in the language used immediately before and after this clause, the writer was consciously guided by the metrical value of the successive syllables of the quotation itself. One may also fairly mistrust a theory which leads its exponent to print the trisyllabic *Πειραιῶς* in c. 35 § 1, while everywhere else he prefers the quadrisyllabic *Πειραιεύς*. A more cautious and sober view is that of Bruno Keil, *l.c.*, p. 36, who observes:—'die Unfertigkeit des Aristotelischen Buches lässt eine Rhythmik in dem Umfange, wie Blass sie annimmt, m. E. überhaupt gar nicht suchen'. Elsewhere, p. 33, he makes the interesting remark: 'das *Tempo* der Sprache unseres Buches ist im ganzen ein schnelles'.

Commentary, p. 9 (c. 3, 25): *βουκολέων κτλ*] Cf. Bruno Keil, in *Berl. Phil. Woch.* 21 May, 1892, p. 652 f.

p. 14 (c. 4, 6): *ταμίαι*] The earliest inscription in which the *ταμίαι* are mentioned belongs to the first half of the sixth century, CIA iv 373²³⁸, p. 199, *οἱ ταμίαι τάδε χαλκία κτλ*. Cf. *J. H. S.* ix 125.

p. 28 (c. 7, 23): *Διφίλου Ἀνθεμίων*] Bruno Keil, *Solon. Verf.*, p. 67, identifies with this monument a work of art mentioned in CIA, ii 742 A 12 (*Catalogi signorum ex aere factorum*), early in the second half of the 4th century:—*ἀνάθημα Ἀνθεμίων[ος....] κυνῆν ἔχει καὶ λῶ[γχην] vel λῶ[φον]*. He accordingly infers that the monument may be described as *ἀνάθημα Ἀνθεμίωνος, εἰκὼν Διφίλου*. Köhler describes the age of these *Catalogi* as *ultimis decenniis saeculi quarti non multo antiquior*. But the work of art itself may easily have been very much older, some of the rest in the list having certain portions missing. Cf. Boeckh, ii 311³, 279³.

p. 79 f (c. 21, 12): *δύνεμε*] Add, Milchhoefer's *Untersuchungen über die Demeinordnung des Kleisthenes*, with Map, Reimer, Berlin, Oct. '92; and Szanto, *Hermes*, '92, p. 312.

p. 134 a (c. 35, 9): *Ἐφιάλτου καὶ Ἀρχεστράτου*] Bruno Keil, *Solon. Verf.*, p. 54, proposes to identify Archestratus with the mover of the last amendment in the decree concerning Chalcis, CIA iv 1, p. 12 n. 27 a, 70, *Ἀρχέστρατο[ς] εἶπε τὰ μὲν ἄλλα καθάπερ [Ἀ]ρτεκλῆς· τὰς [δὲ] εὐθύνας Χαλκιδεῦ[σι] κατὰ σφῶν αὐτῶν εἶναι ἐν Χαλκίδι καθάπερ Ἀθήνησι, πλὴν φύγῃς καὶ θανάτου καὶ ἀτιμίας. περὶ δὲ τούτων ἔφασκε εἶναι Ἀθήναζε ἐς τὴν ἡλιαίαν τῶν θεσμοθετῶν κατὰ τὸ ψήφισμα τοῦ δήμου*. The spirit of this proposal harmonises with the policy of Ephialtes.

Addenda Notulis Criticis. Bm = **Blass**, *Mitteilungen aus Papyrus-handschriften*, in *Fleckeisen's Jahrbücher*, Oct. 1892, pp. 571—5. Lectionum harum ipsa papyro inspecta prolatarum exemplar Blassii ipsius benevolentiae acceptum refero; ex eisdem nonnullas ab eodem impertitas in editione capitum 1—41 in textum nuperrime recepit Hude. Recensentur infra etiam coniecturae quaedam, quas nuper proposuit Bruno Keil.

2, 2 ἦν γὰρ [τότε]: ἦν γὰρ αὐτ(ῶν) Bm (Hude).

3, 6 ἐξ [ἀρχ]ῆς ἦν a J W Headlam prolatum accipi et defendi: καὶ π[ἀτ]ριος [ἦν] Bm (Hude). 10 [τὴν ἀρχὴν σημείων] δ': [ταύτ(η)ν]· τεκμήρι(ον) δ' Bm (Hude). 11 δυνύουσι [καθάπερ]: δυνύουσιν ὥσ[περ] Wessely et Bm (Hude).

14 ὁποτέρως ποτ' ἔχει μικρόν, ἐγένετο γὰρ ἐν τούτοις τοῖς χρόνοις: ὁποτέρως ποτ' ἔχει, μικρόν ἂν παραλλάττοι τοῖς χρόνοις Bm (Hude). 17 [μόνον τὰ ἐπίθ]ετα: π[ερ]

..... ἐπ[ί]θετα (περ[α]ίνειν) ἐπίθετα? Bm. 22 πλείων [ἦ] ἐνιαυσίος. [οὔτοι] μὲν οὖν χρ(όνον): πλείων ἐνιαυσίας. [τ]ῷ μὲν οὖν χρ(όνῳ) Bm, coll. Pl. *Leg.* 779 D οὐκ ἐλάττων ἐνιαυσίας (Hude).

4, 10 διε[γγυ]ᾶ[σθαι]: διε[γγυ]ᾶν, *cautionem* (vel *sponsionem*) *exigere*, Bm (Hude); idem coniecerat Fränkel, *Rhein. Mus.* xlvii 473, sed alio sensu, *spondere*. 12 π(α)ρασχομένους* cum Blassio conieceram: δεχομένους K, K-W, (participio cum *ἔνους* constructo) Bm (Hude). 13 οὐπερ <εἰσιν> Hude.

5, 8 ἐσορῶντ' Naber (Hude). 9 καὶ γὰρ τέπελαύνει καὶ πρὸς: 'καινομένην' (de Attica, *peruenienti*), ἐν ἧ (μι) πρὸς Bm (Hude). 17 ἐν μετρίοις τ[ρέφεσθε]: ἐν μετρίοις τι... θε Bm; recte igitur τίθεσθε proposuerat Platt. 21 τὴν τε φι[λο]

χρηματ[ίαν] (quod coniecerat Kontos) Bm, qui usitatam lectionem φιλαργυρίαν cum litterarum vestigiis non congruere arbitratur, sed spatium litteris tribus ρημ paullo angustius esse confitetur.

6, 15 ἀπεχθέσθαι <ἐλέσθαι> Hude, hiatu sine causa admisso. 18 καταρρυ-
παι[ε]ιν: καταρρυπῆναι Gertz (Hude), hiatu admisso.

7, 7 κατεκύρωσεν (δὲ τοὺς νόμους): κατέκλησεν (ICEN iam antea Wessely) Bm; 'machte fest', 'gab Geltung', Hude; sed explicandum potius *leges suas intra centum annorum spatium inclusit*. 9 τιμήμα[τα δι]εῖλεν: τιμήματι [δι]εῖλεν Wessely, Bm (Hude).

11 τὰς μ[ὲν οὖν] ἀρχὰς: κ(αὶ) τὰς μὲν ἀρχὰς (spatio inter ME et N vacuo relicto) Bm (Hude).

8, 21 [καὶ] τὰ τε ἄλλα: [ἦ] τὰ τε ἄλλα Bm (Hude). 24 [τοῦ *πράττ]εσθαι: [τοῦ ἐ]κτ[ί]ν[εσθ]αι Bm (Hude); idem coniecerat Tyrrell.

9, 11 ὅπως περ(ὶ) τῆς κρίσε[ως] ὁ δ[ι]ῆ[μος] ἦ κύριος Keil.

10, 2 ποιῆσαι K; ποιῆσαι[ε] Bm. 5 παρ' δ[ι]λ[ί]γον Keil. 6 ἦν δ' ὁ ἀρχαῖος χαρακτήρ διδράχμου. ἐποίησε δὲ καὶ <τὰ> σταθμὰ πρὸς τ[ῷ] νόμισμα, τ[ρ]εῖς καὶ <τετραράκοντα ἐπαυξήσας εἰς τὰς> ἐξήκοντα μνᾶς τὸ τάλαντον ἀγούσας Keil, *Soloni. Versf.* p. 166. 8 ἐξήκοντα: ὀγδοήκοντα Gertz (Hude). 9 [αὶ] μναί: [αὶ γ'] μναί Bm, supra versum hastam signum prodentem cerni posse testatus: αὶ τρεῖς καὶ εἰκοσι (κγ') Gertz) μναί Hude.

11, 10 Ἀν γενέσθαι τὴν [νέαν] τάξιν? Keil. 12 ἡ σ[χεδὸν] ἀπαράλλακτος Keil; ἡ μ[ικ]ρὸν παραλλάξ[ειν] Bm, et deinceps ὅθεν [ἀ]μφοτέρους. 13 συστά[ντι]: συστά[ντι]a Bm (Hude).

12, 14 *δοις: δτοις* Hude. 51 *φρασσαιτ' ἄν* Hude. 54 *πολλαῖσιν: πολλῆσ(ι)ν* Bm (*πολλῆσιν* Hude).

16, 17 τὰ: τὸ H-L (Bm). 18 *πα(ττά)λῳ: ἐπιμελῶς* Hude, quod obiter conieceram.

27 *ἐθ(ρ)υλλ(ε)το: ἐνθύμ(ον) ἦν* Bm (Hude), qui lectionem novam idem ac *ἐνθυμούντο* valere dicit, sed expectares potius *ἐνεκωμιάζετο*. 31 [*προρηίτο*]: [*ἐθ(ρ)υλλ(ε)το*] Bm (Hude).

35 *ἐμεινεν <ἐν> [τῇ ἀρχῇ, κ(αί)] δτ' ἐκπέσοι: ἐμεινεν, [κ(αί) δῆ] κ(αί) δτ' ἐκπέσοι* Bm (Hude). 42 *Ἀθηναῖω(ν) κ* (Bm).

17, 4 *ἐφ(ε)υγεν γάρ: ἐφ(ε)υγε γ(άρ)* Bm. 18, 19 *τ(ῶν) [λοιπῶν]: τ(ῶν) [ἄλλ]ων κ* (Bm).

19, 20 *ὅθεν εὐπόρησαν κτλ: ὅτι εὐποροὶ ἦσαν χρημάτων, <ἀποβλέποντες>* hiatus bis admissio Hude.

21, 3 *<τῇ πολιτείᾳ ὡς κατέστησεν>: ** *πρῶτον μὲν οὖν <συν> ἐνεῖμε* Hude. 22, 42 *ἀτίμους: ἀτίμοις* Hude. 24, 11 *τῶν τελῶν [καί] <τῶν ἀπὸ> τῶν συμμάχων* Hude.

19 *ἄλλαι δὲ <δέκα> νῆες αἱ τοὺς φόρους ἄγουσαι, <ἐχουσαι>* Hude. 28, 16 *ταῖς ὁρμαῖς <χαρίζομενος>* J B Mayor (Hude).

29, 7 *τοῦ Ἑπιζ(ή)λου: τοῦ Ἀναφλ(υ)στίου* Bm (Hude), demi potius quam patris nomine etiam alias usurpato, c. 28, 22, c. 34, 27, c. 38, 22; Pythodorum igitur non Epizeli filium tribus Aegeidis sed Anaphlystium quendam tribus Antiochidis fuisse censet v. 8 *τ(ὸν) βασιλέα* Bm.

31, 19 [*τοῖς*] *αὐτοῖς: τοῖς ἀστοῖς* K² (Bm). 32, 16 *ὕπακου[σά]ντων: ὑποκύνων* (H-L) Bm.

38, 13 *πολὺν μὲν χρόνον ὑπερεβάλλοντο <ἐκφέρειν Gertz>—, ὅτε δὲ καὶ ἔδοξεν αὐτοῖς [ἐκφέρειν], τοὺς μὲν ἐξήλειψαν τῶν <ἐγ> γεγραμμένων, τοὺς δ' ἀντερέγραψαν τῶν ἐξῴθεν* Hude.

38, 7 **ἐπ(ε)στελλον—μεταπε[μ]πόμενοι: ἐπε[μ]ποῦν—μεταπεμπόμενοι* Bm (Hude).

39, 24 *τοὺς δ' ἐν τῷ δστει ἐν τοῖς <ἐν τῷ δστει τοῖς> τὰ <αὐτὰ> τιμήματα παρεχόμενοι* Gertz (Hude).

41, 3 ** * δοκοῦσι δὲ δικαίως [τοῦ δήμου] λαβεῖν τὴν πολιτείαν [π(ο)λιτ(ι)αν]* Bm, Hude. 27 *<ἀν> ἐληλύθασιν* Hude.

42, 11 *ἐάν: ἡἂν* (deleto H) Bm. 43, 15 *καθίζω: καθίζει* Bm.

47, 12 *τὰ εἰς <γ> [ἐτῇ] πεπραμένα: τὰ εἰς [εἰ ἐτῇ] π.* Bm. 14 [*ὀφείλε*] *τῶν ἐν[αντίον]: ἀλ[λ(ε)]ν[.....], ἄλλ(ων) ἐναντίον* Bm.

17 [*δσου*] *ἂν πρήται: ἂ ἂν πρήται* Bm. 30 *τὰ γραμματ[εῖα] τὰ τὰς καταβολὰς ἀναγεγραμμένα: τὰ γραμματεῖα κ* (i.e. κ=κατὰ) τὰς καταβολὰς ἀναγεγραμμένα Bm, coll. v. 20.

48, 5 *διπλ(οὺν) ἀνάγκη: διπλά[σιον] ἀνάγκη* Bm. 8 *τὰ χ(ρ)ήματα: τὰς τιμὰς* Bm.

16 *ἀ[γορ]αῖς: ἀν.... αἰς* (ante αἰς vinculi vestigium litteram κ vel λ vel χ indicantis) Bm, qui *ἀν[αδικ]αῖς, ἀπ[ε]λ[α]σιον[ι]στος causa*, dubitanter conicit.

21 *τό <τε> [αὐτοῦ]: τό [θ' αὐτοῦ], αὐτοῦ per se spatium non implet*, Bm. 25 *ἐπιγ(ρ)άφει: ἀναγ(ρ)άφει* Bm.

27 [*τῇ*] *εὐθυαν: [ταύτ(ην) τ(ῇ)] εὐθυαν* Bm, spatio sex litteris apto.

49, 1 *καλὸν ἱ[π]πων ε[χ]ων: καλ[ῶν] [τροφεὺς] ὧν* Bm, numero plurali cum contextu congruente. Cf. Pl. *Leg.* 735 B *τροφεὺς ἱππων*.

54, 32 [*ρῦν*] *δ(ε) πρόσκειται (π superscr. ποσ, deinde κείται) [κ(αί) Ἡ]φαίσ(τι)α, ἐπὶ Κηφισοφῶντος ἀρχοντος* Bm, confessus Ἡφαιστῖον in πεντετηρίδα mutationem nusquam alias commemorari. 36 *καὶ τοῦ[ν]ομα.*

55, 2 [*πραγμάτ*] *ων, spatio non sufficiente: [ἀπάντ]ων* Bm. 3 [*εἰρη*] *ται: [προε]ρηται* mavult Bm.

56, 21 [*τῆς τε*]: [*τῇ*] (littera producta) Bm. 30 *εἰς τ(ὸ) δι[κ]αστήριον: εἰς δ[ι]καστήριον* Bm.

57, 2 [*τῶν ἐπιμελητῶν οὗ*] *δ δῆμος χειροτονεῖ: τῶν ἐπ. ὧν ὁ δ. χ.* Bm. 25 *καὶ δικάζουσιν ἐν ἱερ[ῶν] καὶ ὑπα[θ]ροι, coll. v. 29 εἰς τὸ ἱερῶν*, Bm, notas quasdam fallaces, non litterarum vestigia vera, superesse arbitratus.

28 *δ[ικαιον] ἐμβαλεῖν: ν[όμος] ἐμβαλεῖν* Bm.

61, 27 *καὶ ἄλλον τῆς [τοῦ Ἀ]μμωνος: καὶ ν[ῦν] τῆς* (superscr.) [*τοῦ Ἀ]μμωνος* mavult Bm.

62, 5 δ[ημότ]ας: δ[ημ]ου]s Bm.
spatio, Bm.

63, 18 πινάκιον: [καί] πινάκιον, suadente

spatio, Bm. Pag. 31, 18 κα[λεῖ] εἰς τὸ κ[λ]ηρωτήριον: κληρο[οῖ] κατὰ κ[λ]ηρωτήριον Bm. 24 [ἀρ-
χων]: litterae primae hasta superest, legendum igitur [κ]ληρο[ε], Bm. 25 [ἀρ-
χων] (ᾧ)ν [αὐτῶ]ν: ὑπάρχει—εἰς τὸν (Wessely) κ[λ]ηρο[ε], sortitionis iam antea paratus est,
aut sortem iam antea duxit, Bm, εἰς τὸν [ἀριθμ]ὸν sensui magis congruere confessus.

26 εἰλη[χ]ῶς ἐλ[κ]ει [βάλανο]ν ἐκ τῆς ὑδρίας: εἰλκ[υ]ς.... εἰ κτλ, supra quattuor
litteras primas ἐλκ (ut videtur) scriptum, Bm, cui nihil sensui aptum obtigit: scri-
bendum fortasse ἐλκ[υ]σ[as] αἰρ[ε]ῖ.

27 καὶ ὁρ[ε]ξας αὐτῇ[ν], οὐκ ἰδ[ὼ]ν τὸ γράμμα,
δ[ε]ἰκνυσιν πρ[ὸ] τῶν αὐτῶν τῷ ἀρχοντι Bm. 30 δ[ε]που: οἰογ Bm, coll. v. 32. 36 δ[ε]σ'

ἀν δ[ε]ἰ [μ]έλλη: ὀσανπερ (delete η) κτλ, δσαπερ [ἀν μ]έλλη Bm, quod exspectabant
K-W.

Pag. 32, 1 ἐκάσ[τ]ρου: ἐκάσ[τ]ρου εἰληχ[ό]ς Bm. 4 post γράμμα εἰ, coniciendum
igitur ἐ[σ]τιν, Bm. 17—27 τοῖς δ' ἀπο[φ]λαγ[χ]ι[χ]ανο[υ]σι [ἀπο]δοῖδ[ό]σιν] οἱ ἐμπ[η]κ[τ]αι

(ἐμπεπ. κτ.. fortasse per errorem scripto) [τὰ] πινάκια. οἱ δὲ ὑπη[ρ]εταί] οἱ δη-
μοσια[κοί] (?) [τῇ]ς φυλῆς ἐκάσ[τ]ης παραδιδόσιν τὰ κ[λ]ηρώτια ἐν ἐπὶ τὸ δικαστήριον
ἐκαστον, [ἐ]ν [οἱ]ς [ἐ]στιν τὰ δνόμα[τ]α τῆς φυλῆς τὰ δν[τ]α [ἐ]ν ἐκάστω τῶν
δικαστηρίων. παραδιδόσι [δὲ] τοῖς εἰληχ[ό]σιν ἀποδοῖδ[ό]ναι τοῖς δικασταῖς ἐν ἐκάστω
[δ]ικαστηρίῳ ἀριθμῶ τὰ [πινάκια], [ἴν]?' (post πινάκια τ, ut videtur, superscriptum) [ἐ]κ
τούτων σκοποῦντες ἀποδοῖδ[ό]σι τὸν [μ]ισθόν. Bm. In v. 22 τὰ δνόμα[τ]α quondam
conieceram, sed postea τὰ [πιν]ά[κ]ια praetuli.

28—35 κατὰ δικαστήριον (πιν
littera o super i scripta). τί[θ]εται δ' ἐν τῷ πρ[ώ]τῳ τῶν [δικαστηρίων κ(α)]
κληρωτήρια καὶ κ[ύ]βοι [χ]αλκοῖ [ἐ]ν οἷς ἐπιγέγραπται [τὰ] χρώ[μα]τα τῶν δικαστη-
ρίων [καὶ] ἕτεροι κ[ύ]βοι, ἐν οἷς ἐστὶν τῶν ἀρχ[ῶ]ν τὰ δνόμα[τ]α ἐπιγ[ε]γραμμένα.
οἱ λαχόντες [δὲ] τῶν [θεσμι]οθετῶν χωρὶς ἐκα[τέ]ρου τοὺς κ[ύ]βους ἐμ[β]άλλουσιν, ὁ μὲν
τῶν δικαστηρίων εἰς ἐν κληρωτ[ή]ριον, ὁ δὲ τῶν ἀρχ[ῶ]ν εἰς ἕτερον — —

Pag. 33; 33^a et 33^b, composita a K-W (B), vix revera coniuncta fuisse putat Bm;
33^a et 34^c potius componenda: cumque primum 34^c et 35^a, deinde 35^a et 35^b, denique
35 et 36 coniuncta sint, fragmenta in hunc ordinem redigenda:—32, 33^b, 34^{ab} (cum
33^b coniunctum), 33^a + 34^c, 35, 36, 37.

Pag. 35, 1 τῶν λόγων B: Ν]ΟΜΟΝ Κ²; ΝΟΜΟΝ (itaque in v. 2 ἡ μαρ[τυρία]) Bm.
7—8 Ποσειδ[ε]ωνος Bm. 12—13 κατηγοροῖ ἐπ[ι]τενδο[ν] Bm.

Pag. 36, 5 [μ]ῆ [τινε]ς ὑποβ[ά]λλωνται non recte: [μ]ῆ [πρ]οῦπο[β]άλλωνται (K-W)
substitui potest, Bm. 17 π[ι]ε[ί]σει: π[ι]ε[ί]σων satis clare apparet, Bm. 23 λα-

βόντες [ὑ]πηρέτ[ας] (non iam inserto δ[ύ]') Bm. 24 [ἐ]ξε[ρ]ώσι [ἐ]π[ὶ] ἀβα[βα] Bm. Cf.
Arist. *Vesp.* 993, φέρ' ἐξέρ[ε]σω (τὰς ψήφους). 27 [καί] τὰ πλήρη δ[η]λ(α), λ supra
Δη scriptum, Bm.

ΑΡΙΣΤΟΤΕΛΟΥΣ ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ.

1. — — [Μ]ύρωνος καθ' ἱερῶν ὁμόσαντες ἀριστίνδην. καταγνωσθέντος δὲ τοῦ ἄγο[υ]ς [αὐτ]οὶ μὲν ἐκ τῶν τάφων ἐξεβλήθησαν,

ΘΑΡΘΕΝ

I 1 ΚΑΤΑΓΝΩΣΘΕΝΤΟΣ. Sensui repugnat καθαρθέντος, etenim tunc temporis erat τὸ ἄγος καταγνωσθὲν tantum, nondum autem καθαρθέν. . 2 αὐτοὶ scripsi; quod cum verbis in altero membro (τὸ γένος αὐτῶν) satis apte quadrat; cf. Paus. i 25, 3 αὐτοὶ τε οἱ ἀποκτείναντες ἐνομήσθησαν καὶ οἱ ἐξ ἐκείνων ἐναγεί: τῆς θεοῦ. Idem scripserunt κ-w et κ³ Kirchhoffium et Kontum secuti. νεκροὶ quondam κ, οἱ νεκροὶ H-L, sed articulo quem desideramus spatium non sufficit, et in ipsa papyro litterae τ potius quam π apparet vestigium.

TESTIMONIA. 1 Capitis primi partem deperditam in compendium redactam conservat Heraclidis epitoma (Rose, Frag. 611, 2³): τοὺς μετὰ Κύλωνος (Κύκλωπος codices meliores) διὰ τὴν τυραννίδα ἐπὶ τὸν βωμὸν τῆς θεοῦ πεφευγόντας οἱ περὶ Μεγακλέα ἀπέκτειναν, καὶ τοὺς δρῶσαντας ὡς ἐναγεῖς ἤλαιον.

I. Cylon's attempt to establish a tyranny, and its consequences.

[Μύρωνος] Myron of Phlya is mentioned by Plutarch alone, *Sol.* 12, as the accuser of the Alcmaeonidae who were involved in the curse of Cylon. At a later time one of the Alcmaeonidae, named Λεωβιώτης, had his revenge for this act of a member of the deme of Phlya by bringing a charge of high treason against a distinguished member of that deme, Themistocles (*Plut. Them.* 23; cf. *ib.* i § 3). Busolt, *Griechische Geschichte*, 1885, i 508.

καθ' ἱερῶν ὁμόσαντες] Cf. decree quoted in c. 29 (at end), ὁμόσαντες καθ' ἱερῶν τελείων.

ἀριστίνδην] cannot be taken with καθ' ἱερῶν ὁμόσαντες, but must go with some such verb as ἐδικάζον in the earlier part of the sentence. We may perhaps infer from Plutarch *Sol.* 12 that the sentence ran as follows: [ἐδικάζον δὲ τραπέζιοι κατηγοροῦντος] Μύρωνος καθ' ἱερῶν ὁμόσαντες ἀριστίνδην. According to Plutarch the Alcmaeonidae were tried by a court consisting of 300 persons selected from the

noblest families (δικαζόντων ἀριστίνδην). The number is confirmed by its being identical with that of the *Boule* of the partisans of Isagoras which Cleomenes king of Sparta endeavoured to establish at Athens in a subsequent attack on the Alcmaeonidae (*Hdt.* v 72). For ἀριστίνδην cf. c. 3, l. 2.

καταγνωσθέντος—τοῦ ἄγους] 'The charge of sacrilege having been made good' by the sentence of condemnation passed by the court.

ἐκ τῶν τάφων ἐξεβλήθησαν] The same incident is mentioned in Plutarch *l. c.*, and *Thuc. l. c.* In the latter it seems to be more closely connected with the second expulsion of the ἐναγεῖς (in 508 B.C.), than with the first.

The principal ancient authorities on the affair of Cylon are as follows. *Hdt.* v 71, ἦν Κύλων τῶν Ἀθηναίων ἀνὴρ Ὀλυμπιονίκης. οὗτος ἐπὶ τυραννίδι ἐκόμησε, προσποιησάμενος δὲ ἐταυρήσιν τῶν ἡλικιωτέων καταλαβεῖν τὴν ἀκρόπολιν ἐπειρήθη, οὐ δυνάμενος δὲ ἐπικρατῆσαι ἰκέτης ἔζετο πρὸς τὸ ἀγαλμα. τοὺς τοὺς ἀνίστασι μὲν οἱ πρυτάνεις τῶν ναυκράων (αἱ ναυκραρίων), ὅπερ ἐνεμον τότε τὰς Ἀθήνας, ὑπεργύνους

3 τὸ δὲ γένος αὐτῶν ἔφυγεν ἀειφυγίαν. Ἐ[πι]μενίδης δ' ὁ Κρῆς ἐπὶ τούτοις ἐκάθηνε τὴν πόλιν.

πλὴν θανάτου· φοβεῖσθαι δὲ αὐτοὺς αἰτία ἔχει Ἀλκμεωνίδας. ταῦτα πρὸ τῆς Πεισιστράτου ἡλικίης ἐγένετο. The above account is unduly favourable to the Alcmaeonidae. It is materially corrected by Thucydides, i 126 § 2, Κύλων ἦν Ὀλυμπιονίκης, ἀνὴρ Ἀθηναῖος τῶν πάλαι εὐγενῆς τε καὶ δυνατός... ὁ δὲ... κατέλαβε τὴν ἀκρόπολιν ὡς ἐπὶ τυραννίδι... § 6 οἱ δὲ μετὰ τοῦ Κύλωνος πολιορκούμενοι φλαύροις εἶχον σίτου τε καὶ ὕδατος ἀπορία. ὁ μὲν οὖν Κύλων καὶ ὁ ἀδελφὸς αὐτοῦ ἐκδιδράσκουσιν· οἱ δ' ἄλλοι ὡς ἐπέβησαν καὶ τινας καὶ ἀπέθνησκον ὑπὸ τοῦ λιμοῦ, καθίζουσιν ἐπὶ τὸν βωμὸν ἰκέται τὸν ἐν τῇ ἀκροπόλει. ἀναστήσαντες δὲ αὐτοὺς οἱ τῶν Ἀθηναίων ἐπιτετραμμένοι τὴν φυλακὴν, ὡς ἔωρον ἀποθνήσκοντας ἐν τῇ ἱερᾷ ἐφ' ᾧ μηδὲν κακὸν ποιήσουσιν ἀπαγαγόντες ἀπέκτευναν. § 7 καθεζομένου δὲ τῶνος καὶ ἐπὶ τῶν σεμνῶν θεῶν [ἐν τοῖς βωμοῖς] ἐν τῇ παρόδῳ διεχρήσαντο. καὶ ἀπὸ τοῦτου ἐναγείας καὶ ἀλιτήριον τῆς θεοῦ ἐκείνοι τε ἐκαλοῦντο καὶ τὸ γένος τὸ ἀπ' ἐκείνων. ἦλθον μὲν οὖν καὶ οἱ Ἀθηναῖοι τοὺς ἐναγείας τούτους, ἦλθον δὲ καὶ Κλεομένης ὁ Λακεδαιμόνιος ὁστερον μετὰ Ἀθηναίων στασιαζόντων (B.C. 508), τοὺς τε ζῶντας ἐλαύνοντες καὶ τῶν τεθνάντων τὰ ὀστά ἀνελόντες ἐξέβαλον. Plutarch, *Solon* 12, supplies us with the following narrative, which has several points of contact with the account in the text. τὸ δὲ Κυλῶνιον ἄγος ἦδη μὲν ἐκ πολλοῦ διατάραττε τὴν πόλιν, ἐξ οὗ τοὺς συνωμώτους τοῦ Κύλωνος ἱκετεύοντας τὴν θεὸν Μεγακλῆς ὁ ἄρχων ἐπὶ δίκῃ κατελθεῖν ἔπεισεν· ἐξάψαντας δὲ τοῦ ἔδους κρόκην κλωστήν καὶ ταύτης ἐχομένους, ὡς ἐγένοντο περὶ τὰς σεμνὰς θεὰς καταβαίνοντες, αὐτομάτως τῆς κρόκης βαγείσης, ὥρμησε συλλαμβάνειν ὁ Μεγακλῆς καὶ οἱ συνάρχοντες, ὡς τῆς θεοῦ τὴν ἱκεσίαν ἀπολεγόμενης· καὶ τοὺς μὲν ἐξω κατέλευσαν, οἱ δὲ τοῖς βωμοῖς προσφυγόντες ἀπεσφάγγησαν· μὲντοι δ' ἀφείλθησαν οἱ τὰς γυναικάς αὐτῶν ἱκετεύσαντες. ἐκ τούτου δὲ κληθέντες ἐναγείας ἐμσούντο· καὶ τῶν Κυλωνείων οἱ περγεγμένονα πόλιν ἦσαν λοχυροὶ καὶ στασιάζοντες ἀεὶ διετέλουν πρὸς τοὺς ἀπὸ τοῦ Μεγακλέους. ἐν δὲ τῷ τότε χρόνῳ τῆς στάσεως ἀκμὴν λαβούσης μάλιστα καὶ τοῦ δήμου διασπάρτης, ἦδη δέκα ἐχῶν ὁ Σόλων παρήλθεν εἰς μέσον ἅμα τῶν ἀρίστοις τῶν Ἀθηναίων, καὶ δεόμενος καὶ διδάσκων ἔπεισε τοὺς ἐναγείας λεγόμενους δίκην ὑποσχεῖν καὶ κριθῆναι τριακοσίων ἀριστίνδην δικαζόντων. Μύρωμος δὲ τοῦ Φλυεύς κατηγοροῦντος ἐάλωσαν οἱ ἄνδρες, καὶ μετέστησαν οἱ ζῶντες· τῶν δ' ἀποθανόντων τοὺς νεκροὺς

ἀνορόξαντες ἐξέριψαν ὑπὲρ τοὺς δρούς. ταῦται δὲ ταῖς ταραχαῖς καὶ Μεγαρέων συνεπιθεμένων ἀπέβαλον τε Νίσαιαν οἱ Ἀθηναῖοι καὶ Σαλαμῖνος ἐξέπεσον αὖθις. καὶ φόβοι τινὲς ἐκ δεισιδαιμονίας ἅμα καὶ φάσματα κατεῖχε τὴν πόλιν, οἱ τε μάντιες ἀγῆ καὶ μασσοὺς δεομένους καθαρῶν προφάνεσθαι διὰ τῶν ἱερῶν ἤγρόμενον. οὕτω δὲ μετὰ-πεμπτὸς αὐτοῖς ἦκεν ἐκ Κρήτης Ἐπιμενίδης... ἐλθὼν δὲ καὶ τῷ Σόλῳ χρησάμενος φίλῳ πολλὰ προσυπεργάσατο καὶ προωδοποίησεν αὐτῷ τῆς νομοθεσίας... τὸ δὲ μέγιστον, ἱασμοῖς τισι καὶ καθαρμοῖς καὶ ἰδρύσεσι κατοργιάσας καὶ καθοσιώσας τὴν πόλιν ὑπῆκουον τοῦ δικαίου καὶ μᾶλλον εὐπειθῆ πρὸς ὁμόνοιαν κατέστησε.

The date of the Olympic victory of Cylon is 640 B.C. Sex. Julius Africanus (early in 3rd century A.D.), as quoted in the *Chronicon* of Eusebius, i p. 145 = 198, has, under *Ol.* 35, 1 = B.C. 640, *Κυλωνίου Κύλωνος Ἀθηναίου, ὁ καὶ τυραννίδα ἐπέβηκεν*. Plutarch *l.c.* implies that Epimenides visited Athens, in connexion with the expiation of the curse of Cylon, shortly before the legislation of Solon (archon 594 B.C.). Hence the attempt of Cylon has generally been placed after the date of Dracon (621 B.C.). Thucydides, i 126, 3, places Cylon's attempt to seize the tyranny in an Olympic year. It has therefore been assigned to the Olympic years 620 (Clinton and Peter), 616 (Duncker), 612 (Corsini). But Herodotus *l.c.* describes the partisans of Cylon as an *ἐταιρήν* τῶν ἡλικιωτέρων, which points to a company of young men. Hence it has been suggested that the attempt was made at an earlier date, before the time of Dracon. It has accordingly been assigned to various Olympic years between 640 and 620 B.C., either as early as 636 or as late as 620 (Busolt, *Griechische Geschichte*, 1885, i 498 note 8, and 505). The same opinion was maintained by Prof. John H. Wright as reported in the *Proceedings of the American Philological Association*, 1888, p. xxvi. His arguments were drawn from the language of Herodotus, Thucydides and the other authorities on this incident; from considerations of the probable age of Megacles and the date of Cylon's father-in-law, Theagenes of Megara. He also urged that 'the adoption of the earlier date lent unexpected coherence and significance to certain phenomena in early Attic history, the episode thus being one of the important steps in the social

2. μετὰ δὲ ταῦτα συνέβη στασιάσαι τοὺς τε ἄγνωρίμους καὶ τὸ

II 1 ΣΤΑΔΙΑΣΑΙ fortasse in ΔΙΑΣΤΗΣΑΙ mutandum, idem suspicantur H-L coll. Arist. *Vesp.* 41 τὸν δῆμον ἡμῶν βούλεται διαστάναι; alioqui τὸν δῆμον secludendum.

and political development of Athens, and not an unrelated event.' This opinion is confirmed by the text which clearly implies that the affair of Cylon preceded the date of Dracon.

ἐφύγεν δειφυγίαν] Plat. *Leg.* 871 D, 877 C, 881 BD, φεύγειν δειφυγίαν, 877 E, (δταν) ἐν δειφυγίᾳ τὴν φεύγειν. Plut. *Sol.* 24, τοῖς φεύγουσιν δειφυγίᾳ τὴν ἐαυτῶν. Photius, s. v. μαστήρες: τῶν δειφυγίαν φυγαδευθέντων.

Ἐπιμανίδης] The purification of Athens by Epimenides is generally assigned to B.C. 596—5, shortly before the archonship of Solon in 594—3 (Clinton, *Fasti*, and Busolt, i 509). These dates are consistent with the account in Plutarch and were possibly suggested by it, or derived from some common source, such as Hermippus of Alexandria, quoted in Plut. *Sol.* 11. The chronology of the life of Epimenides is however extremely uncertain. Diogenes Laertius, i 111, quotes Phlegon as stating that Epimenides returned to Crete and died not long after at the age of 157. He adds that Xenophanes made him die at the age of 154, and the Cretans at 209. (But the Cretans, as we know on the authority of Epimenides himself, 'are always liars.') Suidas puts his birth in Ol. 30 (about 659 B.C.), and describes him as an old man at the time of the purification, which he places in Ol. 44 (B.C. 604—), corrected by Bernhardt into Ol. 46 (B.C. 596—). At the latter date he would have been 63.

On the other hand, Plato, *Leg.* 642 D, 698 C, describes him as coming to Athens and offering expiatory sacrifices in 500 B.C. This account is rejected by Bentley and Grote. The former says of Plato: 'that great Man did not tie himself in his Discourses to Exactness of Time' (*Phalaris*, p. 58); the latter regards the statement in the *Laws* as 'a remarkable example of carelessness in chronology' (*H. G.*, c. 10, ii 294). The sacrifices ascribed to Epimenides by Plato may, indeed, be connected with the outbreak of a plague attested by an inscription of about 500 B.C. (CIA i 475, Busolt i 509), but this is not enough to warrant our placing the prophet a century later than the age of Solon.

Thus we have two accounts of the date of Epimenides, (1) that represented by

Plato, placing him about 500 B.C.; (2) that represented hitherto by no earlier authority than Hermippus, placing him about 600 B.C. (2) is supported by the text, which mentions his visit immediately after an account of a trial assigned by Plutarch to the time of Solon. The discrepancy between the two accounts is explained by Diels as arising from the fact that Plato is referring to the Epimenides of literature and not to the Epimenides of history. The Theogony ascribed to Epimenides was written under Orphic influence shortly before the Persian wars; and the story of the protracted sleep of Epimenides, which lasted for a whole century, was a fiction designed at the same time to give currency to the poetical fabrications ascribed to him. The curse of Cylon was originally expiated through the banishment of the Alcmaeonidae and the purification of Athens by Epimenides about 600 B.C. In the following century the Alcmaeonidae returned and about 508 B.C., after the expulsion of the Peisistratidae, when Cleisthenes, the Alcmaeonid, was the foremost man in the state, the influence of the exiles led to a revival of the memory of the ancient crime. At such a time as this the story of Epimenides was naturally revived by the opponents of Cleisthenes, and his oracles invented as part of their machinations against the guilty race of the Alcmaeonidae (Diels, *Sitzungsberichte* of the Berlin Academy, April 16, 1891, part xxi; abstract in *Berliner Philologische Wochenschrift*, p. 766).

ἐπὶ τοῖσιν] either 'thereupon,' or 'besides.' Ἐπὶ τοῖσιν in the former sense = μετὰ ταῦτα has hitherto been found only in the spurious works (Eucken, *Sprachgebrauch des Ar.*, p. 51). The latter sense (*praeterea*) is on the whole preferable, and is found in *Rhet.* ii 6, 1384 a 9. Cf. *Pol.* ii 9, 1271 a 39, ἐπὶ τοῖς βασιλεύουσιν ἡ ναυαρχία ἑτέρα βασιλεία καθίστηκεν.

ἐκδόθη] For the details of this purification, see Plut. *Sol.* 12 *ad fin.* (καθαρμοῖς), and Diogenes Laertius i 110.

II. The conflict of the classes before the times of Dracon and Solon.

μετὰ ταῦτα] i.e. after the affair of Cylon, which must have been the main

πλήθος πολλὸν χρόνον [τὸν δῆμον]. ἦν γὰρ [τότε] ἡ πολιτεία [τοῖς 2 τε] ἄλλοις ὀλυγαρχικῇ πᾶσι, καὶ δὴ καὶ ἐδούλευον οἱ πένντε[ς τ]οῖς πλουσίοις καὶ αὐτοὶ [καὶ τ]ὰ τέκνα καὶ αἱ γυναῖκες, καὶ ἐκαλοῦντο 5 πελάται καὶ ἐκτημόροι· κατὰ ταύτην γὰρ τὴν μίσθωσιν [εἰ]ργά-

2 τὸν δῆμον secluserunt K, K-W, H-L, B: defendit J E B Mayor. 5 ἑκταγῖτ' ἑκταθῶσ ἀντὶ ταύτης γὰρ τῆς μισθώσεως H-L. εἰργάζοντο H-L.

TESTIMONIA. 5 πελάται καὶ ἐκτημόροι. *Photius s. v. πελάται 2 Aristotelem nominat. Cf. schol. in Plat. *Euthyphr.* p. 327; Pollux iv 165 ἐκτημόριοι (ἐκτημόριον codices, emendavit Jungermann; ἐκτημόροι Cobet Pollucis sui in margine) δὲ παρὰ τοῖς Ἀττικοῖς, id. iii 82; Plut. *Sol.* 13 (Rose, *Ar. Frag.* 351², 389³).

subject of the previous chapter; although, in the part that has been preserved, the narrative of its consequences is brought down to the time of Epimenides (and Solon).

For the general sense, cf. Plut. *Sol.* 13 *init.*, οἱ δ' Ἀθηναῖοι τῆς Κυλωνεῖου πεπαιγμένης ταραχῆς καὶ μεθεστῶτων...τῶν ἐναγῶν, τὴν παλαιὰν αἰθὴν στάσιν ὑπὲρ τῆς πολιτείας ἐστασίαζον, ὅσας ἡ χώρα διαφόρως εἶχεν, εἰς τοσαῦτα μέρη τῆς πόλεως διαστάσῃ.

In the *editio princeps* τὸν δῆμον was regarded as 'superfluous,' and as 'probably a gloss upon τὸ πλήθος.' The text was thereupon defended by Professor Mayor as follows: 'when Cobet removes glosses from late texts, he can appeal to *scholia*, in which even common words are explained. Readers and scribes in Egypt, say 100 A.D., needed no such helps: again πλήθος is not coextensive with δῆμος, and is elsewhere found in close connexion with it (20 § 1; 21 § 1). Here οἱ γνώριμοι and τὸ πλήθος are the factions whose struggles convulse τὸν δῆμον. For στασίαζω is here transitive. Otherwise πολλὸν χρόνον must have been placed just before or just after στασιάζειν. In the manuscript reading it separates the complex subject of the verb from the object and keeps the reader in suspense.' Mr Kenyon, in his third ed., replies that 'δῆμος does not seem to be used in this treatise as denoting the whole state except with the collateral sense that the state was a democracy.' Even in c. 14 § 1, ἐπαναστάς...τῷ δήμῳ, and 15 § 3, παρελόμενος τοῦ δήμου τὰ ὅπλα, 'there is the sense of an attack on the democracy by a despot.' He also modifies his view respecting τὸν δῆμον, suggesting that the words were 'written as a correction of τὸ πλήθος, not as an explanation.'

The transitive use of στασιάζειν, above suggested, is very rare. In [Dem.] 11 § 18, p. 157, 10, τῶν ἐκείνων πραγμάτων

οὐδὲν στασιάζειν παρασκευάζομεν (quoted in L and S) really means 'we do not cause faction in any of his affairs' (see Weil *ad loc.*). The intrans. sense is also clearly marked in Lysias 18 § 18, τοῖς θεοῖς ἠθέσθε εἰς ὁμόνοιαν καταστήναι τὴν πόλιν μᾶλλον ἢ [ἐπὶ τιμωρίαν τῶν παρεληλυθότων τραπόμενοι] τὴν μὲν πόλιν στασιάζειν τοὺς δὲ λέγοντας ταχέως πλουτήσας. The trans. use is found in Anon. apud Stobaeum 510, 1 οἴκους; but the *Indices* to Plato and Aristotle supply no example of this use. To express the trans. Isocrates uses ποιεῖν στασιάζειν, p. 68 B, and 279 D. στασιάζειν is intrans. twice in 8 § 5, twice in 13 § 2, also in 20 § 1, and elsewhere. Hence we must either take it as intrans. here, and strike out τὸν δῆμον (which I prefer), or regard στασιάζειν as having taken the place of a trans. verb διαστήσας. Cf. Hdt. ix 1 § 2, πέμπε χρήματα εἰς τοὺς δυναστεύοντας ἄνδρας ἐν τῇσι πόλεσιν, πέμπων δὲ τὴν Ἑλλάδα διαστήσεις· ἐνθεῖπεν δὲ τοὺς μὴ τὰ σά φρονέοντας ῥηιδίως μετὰ τῶν στασιωτέων καταστρέψει. Xen. *Hell.* ii 4 § 35, διόσθη δὲ καὶ τοὺς ἐν τῷ ἄσπῳ. Plut. *Sol.* 13 (of the same period) τῆς πόλεως διαστάσας. *Ar. Pol.* 1321 a 15, ὅταν διαστώσι, and *ib.* 19 ταύτῃ δὲ ἐπικρατοῦσιν ἐν ταῖς διαστάσεσιν οἱ δῆμοι τῶν εὐπόρων. As a possible alternative one might suggest διαστασιάζειν, 'to form into separate factions,' *Pol.* 1303 b 26, ὅθεν προσλαμβάνοντες τοὺς ἐν τῷ πολιτεύματι διεστασιασάν πόντας, and 1306 a 3, διεστασιασεν αὐτοὺς πρὸς τοὺς εὐπόρους.

§ 2. τοῖς τε ἄλλοις...καὶ δὴ καὶ] 16 §§ 2, 10. In 18 § 2 and 19 § 3 we have καὶ alone in the second clause. It is exceptional for τε to be omitted, as in Lycurg. *Leocr.* 95, ἐπὶ τὴν ἄλλην χώραν καὶ δὴ καὶ (where Baiter prefers ἐπὶ τε).

πελάται] used by Plutarch in eight passages as an equivalent for the Roman *clientes* (*Romulus* 13, *Poplicola* 5, *Coriolanus* 13 and 21 § 4, *Marius* 5 § 5, *Crassus*

ζουτο τῶν πλουσίων τοὺς ἀγρούς (ἡ δὲ πᾶσα γῆ δι' ὀλίγων ἦν), καὶ εἰ μὴ τὰς μισθώσεις [ἀπ']οδίδοιεν, ἀγῶγμοι καὶ αὐτοὶ καὶ οἱ παῖδες ἐγίγνοντο, καὶ [οἱ δανεισμοὶ] πᾶσιν ἐπὶ τοῖς σώμασιν ἦσαν μέχρι Σόλωνος· οὗτος δὲ πρῶτος ἐγέν[ετο τοῦ] δῆ[μου] προ-
3 στάτης. χαλεπώτατον μὲν οὖν καὶ πικρότατον ἦν τοῖς πολλοῖς τῶν 10
κατὰ τὴν πολιτείαν τὸ [δουλεύειν]. οὐ μὴν ἀλλὰ καὶ ἐπὶ τοῖς
ἄλλοις ἐδυσχέрайον· οὐδενὸς γάρ, ὥς εἰπεῖν, ἐτύγχανον μετέ-
χοντες.

8 ΕΦΙΝΟΝΤΟ (K-W): ἐγίγνοντο (H-L, K³); in titulis Atticis annorum 445—292 A.C. quadraginta tribus locis inventum est γίγνομαι, nusquam γίνομαι (Meisterhans, *Grammatik der Attischen Inschriften*, p. 141²); itaque ubique praetuli γίγνομαι. καὶ οἱ δανεισμοὶ πᾶσιν Blass (K³ p. LXIV): καὶ [δε]δ[ε]μένοι τοῖς δανείσ[α]σιν K, καὶ γὰρ κτλ. K-W; ὑπόχρεω γὰρ H-L repugnante papyro. 11 δουλεύειν K-W (K³, B): [τὸ τῆς γῆς μὴ κρατ]εῖν H-L Blassii coniecturam secuti.

21 § 5, *Cato Minor* 34 § 3, *Tib. Gracchus* 13 § 2; also in *Agis* 6 § 5, and *Quaest. Cornin.* ii 10, (ὁ κίττος) Βουωτίου θεοῦ πελάτης καὶ παρσίτος ὢν.

ἐκτμήμοροι] (1) Plut., *Sol.* 13, states that these tenants paid their landlords a sixth part of the produce (ἕκτα τῶν γινόμενων τελούσας). Similarly, Hesychius, s. v. ἐκτμήμορος. (2) Photius, s. v. πελάται, says that they cultivated the soil in return for a sixth part of the produce (ἕκτω μέρει τῶν καρπῶν εἰργάζοντο τὴν γῆν). Similarly, Hesychius, s. v. ἐκτμήμοροι, and the Scholiast on Plato, *Euthyphron* 4 c. Thus Plutarch makes them pay 1/6 and retain 5/6 for their own maintenance; while Photius makes them pay 5/6 and retain 1/6. The former view is preferable and it is supported by Oncken (*Staatslehre*, ii 437 n) who observes that a tax of 1/6 was sufficiently severe to imply a considerable amount of distress, and by Gomperz (in Appendix III to his polemical pamphlet, *Die Schrift vom Staatswesen der Athener*, pp. 45—48).

μισθώσιν] 'rent' (not 'wages'). *Inf. μισθώσεις ἀποδίδοιεν*. Dem. 28 § 12, ἀποδίδωκε τὴν μίσθωσιν, and 43 § 58 (*lex*) τοὺς μὴ ἀποδίδοντας τὰς μισθώσεις τῶν τεμενῶν.

δι' ὀλίγων ἦν] c. 4 *ad fin.* The sense is not materially different in *Pol.* viii (v) 6, 1306 a 16, τῆς πολιτείας δι' ὀλίγων οὐσας, and *infra* c. 29 l. 9, δι' ὀλίγων ποιήσονται τὴν πολιτείαν, also *Pol.* 1318 b 34, αὐτε γὰρ ἀρχαὶ αἰεὶ διὰ τῶν βελτίστων ἔσονται, 1301 b 12, τὴν μὲν κατάστασιν προαίρουσιν τὴν αὐτήν, δι' αὐτῶν δ' εἶναι βούλονται, 1293 a 28, δι' αὐτῶν ἔχων (Eucken, *Sprachgebrauch des Ar.*, p. 38).

ἀγῶγμοι] Plut. *Sol.* 13, χρεᾶ λαμβάνοντες ἐπὶ τοῖς σώμασιν ἀγῶγμοι τοῖς δανείζουσιν ἦσαν, 15 § 8, τῶν ἀγῶγμων πρὸς

ἀργύριον γεγονότων πολιτῶν.

Diod. Sic. i 79, 16 (of an Egyptian law-giver) τῶν ὀφειλόντων τὴν ἐκπράξιν τῶν δανείων ἐκ τῆς οὐσίας μόνον ἐποιήσατο, τὸ δὲ σῶμα κατ' οὐδένα τρόπον ἔλασεν ὑπάρχειν ἀγῶγμων.

δανεισμοὶ κτλ.] c. 4 *ad fin.*, c. 9 § 1 δανείζων ἐπὶ τοῖς σώμασιν. Dion. Halic. *Ant. Rom.* iv 9, p. 658, 6 Reiske (of Servius Tullius), νόμον θήσονται, μηδένα δανείζειν ἐπὶ σώμασιν ἐλευθέρους, and v 53, p. 970, 4 (οἱ δανείζοντες) εἰς δεσμοὺς τὰ τῶν ὑποχρέων ἀπήγον σώματα. The word δανεισμός occurs in *Eth.* 1131 a 3, Plat. *Rep.* 473 E, *Leg.* 842 D, 921 C.

τοῦ δήμου προστάτης] In Plut. *Sol.* 13 *ad fin.*, the oppressed citizens resolve on choosing ἓνα προστάτην ἄνδρα, and the choice falls on Solon. The same term is applied *infra* c. 28 to Solon, Peisistratus, Cleisthenes, Xanthippus, Themistocles and Aristides, Ephialtes and Pericles, Cleon and Cleophon. According to Grote's definition, which is mainly applicable to a time later than that of Solon, the term 'denotes the leader of a popular party, as opposed to an oligarchical party (see Thuc. iii 70, 82, iv 66, vi 35) in a form of government either entirely democratical, or at least in which the public assembly is frequently convoked and decides on many matters of importance' (*Hist. of Gr.* vii p. 304 n). See Dr Hager's article in Smith's *Dict. of Ant.* ii 504.

§ 3. οὐδενός...ὥς εἰπεῖν] An example of the normal use of ὥς εἰπεῖν, to modify a numerical exaggeration. To the passages quoted in my note on Dem. *Lepi.* § 140, the following may be added, from Aristotle's *Politics*. ὥς εἰπεῖν is used with πᾶς in 1263 b 4, 1273 b 17, 1282 a 5,

3. ἦν δ' ἡ τάξις τῆς ἀρχαίας πολιτείας τῆς πρὸ Δράκοντος [τοιαύδε]. τὰς μὲν ἀρχὰς [καθί]στασαν ἀριστίνδην καὶ πλουτίνδην· ἡρχον δὲ [τὸ] μὲν πρῶτον διὰ βίου, μετὰ δὲ ταῦτα

III 3 διὰ βίου K-W, H-L (K², B): *dei quondam K.*

1314 a 14, 1319 a 30, 1323 a 20, 1328 b 16; also with numbers in 1285 b 34 σχεδὸν δύο ἐστὶν ὡς εἰπεῖν, 1302 a 19 σχεδὸν ὡς εἰπεῖν τρεῖς. ὡς ἐπὶ τὸ πλείστον εἰπεῖν occurs in 1297 b 33, 1335 a 8. ὡς ἀπλῶς εἰπεῖν, in 1293 b 34, 1299 a 25, 1310 a 37. ὡς εἰπεῖν is less frequently used to modify a strong metaphor or other emphatic phrase unconnected with number: 1263 a 36 τοῖς δοῦλοις χρώνται τοῖς ἀλλήλων, ὡς εἰπεῖν ἰδίοις, 1268 a 23 τὰς κυριωτάτας ἀρχὰς ὡς εἰπεῖν, 1324 b 6 τῶν πλείστων νομίμων χόδην ὡς εἰπεῖν κειμένων, 1301 b 5 ἀρχαὶ μὲν οὖν ὡς εἰπεῖν [bracketed by Susemihl, transferred after πηγαὶ by others] αὐταὶ καὶ πηγαὶ τῶν στάσεων εἰσίν, 1304 b 5, αὐ κατ' ἀρετὴν διαφέροντες οὐ ποιοῦσι στάσιν ὡς εἰπεῖν, 1312 b 23 εὐθὺς ὡς εἰπεῖν. ὡς ἔπος εἰπεῖν is combined with πᾶς, 1252 b 29; also *infra* c. 57 § 1, and with πλείστα in 49 § 5. It is quite unnecessary to substitute it for ὡς εἰπεῖν here.

III. *The Athenian Constitution before the time of Dracon.*

According to the current account the title of king was abolished on the death of Codrus. His son Medon, and twelve successors, beginning with Acastus and ending with Alcmaeon, were archons for life. In the second year of Alcmaeon (752 B.C.) the life archonships of the Medontidae were reduced to the duration of ten years. The names of seven decennial archons have been preserved. In 712 B.C., with this limitation in the tenure of the office, the archonship was thrown open to all the Eupatridae. Lastly, in the archonship of Creon (683 B.C.), or on the expiration of that of Eryxias (682, Duncker, *Hist. of Greece*, ii 135 E. T.), the single decennial archon was abolished, and his duties were distributed over nine officials who held office for a year only, and were elected by the Eupatridae out of their own body (Grote, *H.G.*, ii chap. 10 *init.*). The legend that it was out of gratitude for the heroism of Codrus that the title of king was abolished has no earlier authority than that of Justin (ii 7). It is not recognised by Plato or Aristotle, or by any early writer. Plato describes Codrus as meeting his doom in quest of glory and in the interests of the royal

status of his descendants, *Symp.* 208 D, ὑπὲρ τῆς βασιλείας τῶν παίδων. Aristotle, *Pol.* viii (v) 10, p. 1310 b 37, implies that he was one of those who earned their royal power by their services to their country (κατὰ πόλεμον κωλύσαντες δουλεῖν). The life-archons were elected from the royal house, and bore the title of βασιλεῖς (Pausanias i 3 § 3). This title was never formally abolished, but survived even in later times in the name of the ἀρχων βασιλεὺς. The institution of the office of life-archon is described by Pausanias, iv 5 § 10, as a change ἀπὸ βασιλείας ἐς ἀρχὴν ὑπεύθυνον. In explanation of this phrase it has been suggested that the life-archon was 'responsible to the general body of the Eupatridae' (See ARCHON, p. 166 a, in Smith's *Dict. Ant.*); but it seems more probable that Pausanias used a phrase which was an obvious antithesis to an irresponsible monarchy without having any real knowledge of the nature of the responsibility attaching to the holder of a life-archonship (Busolt, i pp. 400 f.).—Cf. Lugebil, *Jahrb. f. class. Philol.*, suppl. Bd v 539—564.

ἀριστίνδην καὶ πλουτίνδην] *inf.* § 6. *Pol.* 1273 a 23, οὐ γὰρ μόνον ἀριστίνδην ἀλλὰ καὶ πλουτίνδην αὐτοὶ δὲν αἰρεῖσθαι τοὺς ἀρχοντας, 1293 b 10, οἶνον γὰρ μόνον πλουτίνδην ἀλλὰ καὶ ἀριστίνδην αἰροῦνται τὰς ἀρχάς, 1272 b 36, ταύτην δ' αἰροῦνται τὴν ἀρχὴν ἀριστίνδην. = κατ' ἀρετὴν 1273 a 26. Isocr. *Paneg.* 146, οὐκ ἀρ. ἐπελεγμένους. Plat. *Leg.* 855 c, ἀρ. ἀπομερισθὲν δικαστήριον. In Andoc. *de Pace* 30, πολλοὺς Ἀθηναίων ἀπολέσαντες ἀριστίνδην καὶ τῶν συμμάχων, I should prefer to read ἀρετῶν, which is combined with ἀπολλύναι in Plato *Rep.* 421 A. The adverb is defined by Timaeus as meaning κατ' ἀνδραγαθίαν αἰρεθῶν. Profr. Mayor adds to lexicons the following examples of ἀριστίνδην: 'Dem. p. 1069, 7. Plut. *Sol.* 12 § 2, *Lysand.* 13 § 7 (where also πλουτίνδην, as in *Septem Sap. Conv.* 11 pr. p. 154). Euseb. *Ecl. Proph.* iv 4 p. 177, 18. CIA i 61, App. *Bell. Cív.* i 35. Aelian in Suid., Διονυσίῳ σκωμμάτων, ἡς πλουτίνδην' (*Class. Rev.* v 120).

διὰ βίου] *Pol.* 1270 b 39, 1272 a 37, 1285 a 15; *inf.* at end of § 6.

- 2 [δεκ]αίτιαν. μέγισται δὲ καὶ πρῶται τῶν ἀρχῶν ἦσαν βασιλεὺς καὶ πολ]έμαρχος καὶ ἄρχων· τούτων δὲ πρ[ώτ]ῃ μὲν ἢ τοῦ βασι- 5
λέως, αὕτη γὰρ *ἐξ [ἀρχ]ῆ[ς] ἦν. δευτέρα δ' ἐπικατέστη [ἢ πολε]μ-
αρχία διὰ τὸ γε[ν]έσθαι τινὰς τῶν βασιλέων τὰ πολεμικὰ μαλ[α-
κοὺς, ὅθεν καὶ] τὸν Ἴωνα μετε[πέμ]ψαντο χρεία[ς κ]αταλαβούσης.
- 3 τελευταία δ' ἢ [τοῦ ἀρχο]ντος· [οἱ] μὲν γὰρ πλείους [ἐ]πὶ Μέδοντος,
ἔνιοι δ' ἐπὶ Ἀκάστου φασὶ γενέσθαι [τὴν ἀρχήν] σημείον] δ' 10
ἐπιφέρουσιν [ὅτι] οἱ ἐννέα ἄρχοντες ὀμνύουσι [καθάπερ] ἐπὶ Ἀκά-
στου τὰ ὅρκια ποι[ή]σειν, ὥς ἐπὶ τού[το]υ τῆς βασιλείας παραχω-
ρησάντων τῶν Κοδ[ριδῶν], *ἀνταποδοθεῖσιν τῷ ἄρχοντι δωρεῶν.

6 ἐξ ἀρχῆς ἦν J W Headlam, quod accepi coll. 16 § 1, 28 § 1, 55 § 1, *Pol.* 1297 δ 17 ἢ πρώτη δὲ πολιτεία ἐν τοῖς Ἕλλησιν ἐγένετο μετὰ τὰς βασιλείας ἐκ τῶν πολεμούντων, ἢ μὲν ἐξ ἀρχῆς ἐκ τῶν ἰσπύων, et Ar. frag. 611 (1) R³ Ἀθηναῖοι τὸ μὲν ἐξ ἀρχῆς ἐχρῶντο βασιλείᾳ. ἐν ἀρχῇ ἦν hiatus sine causa admissio K³; ἐν [ἀρχῇ κατέστη] K-W, πάτριος ἐγένετο H-L, sed lectioni neutri spatium sufficit. ἢ inseruit J B Mayor (H-L, K³). 7 γενέσθαι K-W, B. ΠΟΛΕΜΙΑ K (K-W, H-L): πολεμικὰ Blass; cf. 23, 14. 8 ὅθεν καὶ K (H-L), litteras οθ aliquatenus cerni posse arbitratus: [πρώτων] δὲ K-W, B. 10 ἐπ' H-L. τὴν ἀρχήν K (H-L): ταύτην K-W: [βασιλέως] B. [σημείον] K, K-W, H-L: τ[ό]τ[ω] B. 12 τὰ ὅρκια ποιήσεν (litteris primis quinque incertis) K³; τὰ ὅρκια ποιήσεν e parryto eruerat Wessely. [τῆς πόλεως ἀρχ]εν K¹, [τῆς πόλ]εως ἀρχ]εν KW, [βασιλέως ἀρχ]εν (H-L). τούτου τῆς H-L (K³): τῆς ἐκείνου K¹ (K-W). 13 ἀπὶ τῶν δοθεῖσιν, litteris evanidis scripta, K³, B: τῶν ὑπεξηρημένων K-W: pro ἀπὶ τῶν δοθεῖσιν (ΑΝΤΙΤ-ΔΟΘΕΙΣΙΩΝ), quod litteris valde obscuris scriptum esse dicitur, scripserim aut ἀντι-παραδοθεῖσιν (ΑΝΤΙΠΔΟΘΕΙΣΙΩΝ) aut (quod usitatus est) ἀνταποδοθεῖσιν; litteris fere tredecim spatium sufficit.

§ 2. πολέμαρχ[α] This account of the original relation of the πολέμαρχος to the βασιλεὺς is illustrated by the Schol. on Plat. *Phaedr.* 235 D, where the former is described as ὡς περ λοχαγὸς τοῦ βασιλέως (Wyse in *Class. Rev.* v 224). Similarly in certain semi-savage tribes the institution of a 'war-king' has grown up beside that of the regular hereditary monarch. Cf. Post, *Bausteine*, ii p. 84.

μαλακοὺς] Heraclidis epitoma, Rose, Frag. 611, 1, ἀπὸ δὲ Κοδριδῶν οὐκέτι βασιλεῖς ἦρουντο διὰ τὸ δοκεῖν τρυφᾶν καὶ μαλακοὺς γενέσθαι.

Ἴωνα] Ion, the son of Creusa, daughter of Erechtheus, was summoned to the aid of Athens against Eleusis and was entrusted with the conduct of the war. Hdt. viii 44, Paus. vii 5, 1, and esp. i 31 § 3, Ἀθηναίων ἐπὶ τοῦ πολέμου τοῦ πρὸς Ἐλευσινίους ἐπολεμάρχησε. Cf. Schol. on Arist. *Aves* 1527, πατρώων δὲ τιμῶων Ἀπόλλωνα Ἀθηναῖοι, ἐπεὶ Ἴων ὁ πολέμαρχος Ἀθηναίων ἐξ Ἀπόλλωνος καὶ Κροῦσος τοῦ Διούθου (γυναικὸς) ἐγένετο (Rose, Frag. 343* = 3813). This scholium may have been derived either from the present passage, or from another in

which Ion was mentioned near the beginning of the treatise.

τελευταία—ἄρχοντος] It is uncertain whether the president of the board of nine magistrates bore the title of Archon before the time of Solon. Probably up to that time the members of the board were called πρυτάνεις and their president retained the ancient title of βασιλεὺς. It was the βασιλεὺς that presided over the archons when assembled as a judicial body (Busolt, i 408). On the other side, see Gilbert's *Gr. St.*, i 117—118.

§ 3. Μέδοντος] son of Codrus. Ἀκάστου, successor of Medon (Busolt, i 403). ὀμνύουσι] The oath of the archons is also mentioned in 7 § 1 and in 55 *ad fin.*, but this particular clause is not cited elsewhere.

παραχωρησάντων] For the constr. cf. Dem. p. 38, 24, ἀξιῶ ὑμᾶς μὴ παραχωρεῖν τῆς τάξεως, p. 655, 17, π. τῆς ἀρχῆς. For the sense, *Pol.* 1285 δ 14, τὰ μὲν αὐτῶν παριέντων τῶν βασιλέων, τὰ δὲ τῶν ὅχλων παραιρουμένων, ἐν μὲν ταῖς ἄλλαις πόλεσιν, αἱ πατρίοι θυγαῖς κατελείφθησαν τοῖς βασιλεῦσι μόνον.

ἀνταποδοθεῖσιν—δωρεῶν] 'corre-

τοῦτο μὲν οὖν ὁποτέρως ποτ' ἔχει μικρόν, ἐγένετο γὰρ ἐν τούτοις
 15 τοῖς χρόνοις· ὅτι δὲ τελευταία τούτων ἐγένετο τῶν ἀρχῶν, [ση]μείον
 καὶ [τὸ] μῆ[δ] ἐν [τῶν π]ατρῶν τὸν ἀρχοντα διοικεῖν ὥσπερ ὁ
 βασιλεὺς καὶ ὁ πολέμαρχος, ἀλλὰ [μόνον τὰ ἐπίθ]ετα. διὸ
 καὶ νεωστὶ γέγονεν ἡ ἀρχὴ μεγάλη, τοῖς ἐπ[ι]θέτοις αὐξηθ[ε]ῖσα.
 θεσ[μ]οθέται δὲ πολλοί[τις] ὕστερον ἔτεσιν ἡρέθησαν, ἥδη κατ' 4
 20 ἐνιαυτὸν αἰρ[ουμένων] τὰς ἀρχάς, ὅπως ἀναγράψαντες τὰ θέσμια
 φυλάττωσι πρὸς τὴν τῶν [παρ]ανομού[ν]των κρίσιν· διὸ καὶ μόνῃ
 τῶν ἀρχῶν οὐκ ἐγένετο πλείων [ἢ] ἐνιαύσιος. [οὔτοι] μὲν οὖν 5
 χρόνον τοσοῦτον προέχουσιν *ἀλλήλων. ᾤκησαν* δ' οὐχ ἅμα πάντες

14 μικρόν [διαφέρει, ὅτε δὲ ἐν ἀτάκ]τοις τοῖς χρόνοις Paton, μικρόν διαφέρει ἐν τούτοις
 <τοῖς> χρόνοις H-L; μικρόν, ἀλλ' [ὅν ἐγένε]το ἐν τούτοις <τοῖς> χρόνοις K-W; μικρόν
 δ[ὲ]ν διαλλάτ[τ]οι τοῖς χρόνοις, vel μικρόν γε π[αρα]λλάττει τοῖς χρόνοις, B. ἐγένετο γὰρ
 ἐν τούτοις τοῖς, litteris evanidis scripta, K². 16 πατρῶν Wyse, Blass, K-W, H-L (K²),
 coll. 57 § 1 τὰς πατρῶν θυσίας διοικεῖ οὗτος (ὁ βασιλεὺς) πάσας. 17 ἀλλὰ [μόνον
 τὰ ἐπίθ]ετα K², B; an μᾶλλον? ἀλλὰ καὶ τὰ ἐπίθ]ετα H-L; ἀλλ' [ὅ]τως μὴδὲν
 μ[έ]γα K-W. 20 αἰρουμένων Wyse, Blass, K-W, H-L, K². 21 παρ]ανομού[ν]των
 K (K-W, B): ἀκοσμού[ν]των H-L spatio vix expleto. 22 πλείων K: πλείον K-W, B;
 πλεῖν H-L. πλὴν ἢ, vel πλὴν εἰ, H Richards. 23 ἀλλήλων H-CAN: ἄλλων. ᾤκησαν
 K: ἀλλήλων. ἦσαν Jackson, Blass (K-W, H-L); malui ἀλλήλων. ᾤκησαν: ἀλλήλων.
 ἔδικαζον Herwerden coll. Suid. s. v. ἀρχων: καθίζον Gennadios, συτήσαν Kontos.

sponding privileges being (at the same time) assigned to the archon.' ἀντὶ τῶν
 δοθεισῶν, suggested by Mr Kenyon, is confessedly a somewhat remarkable expression, and is interpreted to mean 'in consideration of the privileges which were surrendered to the archon'; but this is hardly satisfactory in point of sense. What we expect is ἀντιτάλων δοθεισῶν τῷ ἀρχοντι δωρεῶν.

ὁποτέρως ποτ' ἔχει. De Physica Auscult. 252 b 35, ὁποτέρως ποτ' ἔχει. De Sensu, 446 a 21, ὁποτέρως ποτὲ γινεται. περὶ ζωῆς 467 b 17, ὁποτέρως ποτὲ δεῖ καλεῖν (Index Ar.).

§ 4. θεσμοθέται, literally 'legislators,' from θεσμοί, the old term for νόμοι. The name was 'probably applied to them as the judges who determined the great variety of causes which did not fall under the cognizance of their colleagues; because, in the absence of a written code, those who declare and interpret the laws may be properly said to make them' (Thirlwall, ii 17). According to the text, the object of their appointment was to secure that the enactments of the law should be publicly recorded and duly preserved, with a view to their being enforced against transgressors. In the absence of a code of law, such as Draco afterwards gave to Athens, the θέσμια of the text were presumably 'judicial deci-

sions' recorded as precedents for similar cases in the future. See also Holm, Gr. Gesch. i 516.

κατ' ἐνιαυτὸν—τὰς ἀρχάς] B.C. 683. ἀναγράψαντες] not exactly to 'commit to writing' (Poste), but to engrave on a tablet and set up in a public place (this is the force of ἀνα-); in brief, 'to record publicly.'

διὸ] does not appear to refer to the immediately preceding clause, but to the beginning of the previous sentence. It was because the *thesmothetae* were not instituted until the time when magistrates were appointed annually that, unlike the three senior archons in former days, they never held office for more than a year.

§ 5. οὔτοι—ἀλλήλων] 'Such then is the order of precedence which these magistrates have over one another in point of date,' i.e. (1) βασιλεὺς, (2) πολέμαρχος, (3) ἀρχων, (4) θεσμοθέται. ἀλλήλων is somewhat loosely used.

ᾤκησαν δ' οὐχ ἅμα πάντες κτλ.] With reference to the lexicographical articles quoted above, in the *Testimonia*, it was remarked by Schömann (*Ani. Gr.* p. 412 E. T.) that 'before the time of Solon, as we are assured by evidence which, it must be admitted, is exceedingly apocryphal in character, the nine Archons were not permitted to sit in judgment all to-

οἱ ἐννέα ἄρχοντες, ἀλλ' ὁ μὲν βασιλεὺς εἶ[Τ]χε τὸ νῦν καλούμενον
βουκολεῖον, πλησίον τοῦ πρυτανείου (σημεῖον δέ τι καὶ νῦν γὰρ 15

25 ΒΟΥΚΟΛΙΟΝ (Κ, Η-Ι, Β): βουκολεῖον K-W.

TESTIM. 23—33. Bekk. *Anecd.* 449, 19 et Suidas s. v. ἄρχων: ...πρὸ μὲν τῶν Σόλωνος νόμων οὐκ ἔζην αὐτοῖς ἅμα δικάζειν, "ἀλλ' ὁ μὲν βασιλεὺς" καθήστο παρὰ τῷ καλούμένῳ βουκολεῖῳ, τὸ δέ ἦν "πλησίον τοῦ πρυτανείου," "ὁ δέ πολέμαρχος" ἐν Λυκείῳ καὶ ὁ ἄρχων παρὰ τοὺς ἐπώνυμους, οἱ δὲ (om. Suidas) θεσμοθέται παρὰ τὸ θεσμοθέσιον. κύριοι τε ἦσαν ὥστε "τὰς δίκας αὐτοτελεῖς" ποιεῖσθαι, ὕστερον δὲ Σόλωνος οὐδὲν ἕτερον αὐτοῖς τελεῖται ἢ μόνον ἀνακρίνουσι (ὅποкр. Suid., ἀνακρ. Pearson et Matthiae) τοὺς ἀντιδίκους.

gether. They were, however, equally precluded from doing this in the times better known to us, and the statement must therefore be based on some kind of misapprehension.' It was also noticed that, before the time of Solon, the archon could not have had his official residence παρὰ τοὺς ἐπώνυμους, as the statues of the ἐπώνυμοι, or national heroes that gave their names to the ten Attic tribes, could not have existed before the institution of those tribes by Cleisthenes (508 B.C.). Hence it was inferred by K. F. Hermann (*Gr. Staatsalt.*, p. 407, note 14) that the information referred to the post-Solonian time. But at that time the official residence of the Archon-Basileus was the *Stoa Basileios*, not the *Basileion*. Accordingly it was suggested by Wecklein (*Monatsber. der München. Akad.*, 1873, 5. 38) that the *Basileion*, which he supposed was the residence of the *φύλο-βασιλεῖς*, had been confounded with that of the Archon-Basileus.

We now see that the main source of the information, so far as it is correct, was the present passage. The information really refers to the time before Solon; but the lexicographers commit an anachronism, for which they are themselves responsible, in placing the office of the archon near the *Ἐρπονῆμι*, instead of in the *Πρυτανεῖον*, in the neighbourhood of which the statues of the *Ἐρπονῆμι* were afterwards set up.

βουκολεῖον] We are here told that the official residence of the Archon-Basileus was the building which, in the time of the writer, was called the βουκολεῖον. This explains the otherwise obscure passage quoted in Athenaeus, p. 235, from the law relating to the Archon-Basileus: τοὺς δὲ παροσίτους ἐκ τῆς βουκολίας ἐκλέγειν ἐκ τοῦ μέρους τοῦ ἐαυτῶν ἐκτὲα κριθῶν κτλ. In Telfy's *Corpus Iuris Attici* § 358 the words ἐκ τῆς (or ἐκτὸς) βουκολίας are strangely rendered *absque dolo*. It is now, however, clear that they must refer to the residence of the Archon-Basileus

and are used in the same sense as ἐκ τοῦ βουκολεῖου, which was perhaps the original reading.

The βουκολεῖον is possibly connected with the βουζύγιον, or field of sacred ox-ploughing, described by Plutarch (*Coniugalia Praecepta*, xlii) as below the Acropolis: Ἀθηναῖοι τρεῖς ἄρτους ἱεροῦς ἀγούσι...τρίτον ὑπὸ πῶλιν τὸν καλούμενον βουζύγιον (Miss Harrison, *Mythology and Monuments of Ancient Athens*, p. 166). It has been suggested that a black-figured vase-painting on a *hydria* in the Berlin Museum, where an ox is standing within a small Doric shrine, not bound as for sacrifice, but free and stately, is a representation of the sacred ox in his βουκολεῖον, whether it be the building below the Acropolis or some other shrine of Ζεὺς Ποσειδῶν (*ib.* p. 428). It is more probable, however, that the βουκολεῖον was connected with the worship of Dionysus, who was often represented in the form of an ox (cf. Eur. *Bacchae*, 100, 920—922, 1017, 1159). There was a play of Cratinus called the Βουκόλοι, which began with a dithyramb, and it has been inferred from Aristoph. *Vesp.* 10, τὸν αὐτὸν ἄρ' ἐμοὶ βουκολεῖς Σαβῶνιον, that the votaries of the Thracian Dionysus, ὁ ταυρόμορφος, were called βουκόλοι (O. Crusius, in *Philologus*, xlvii 34). It will be observed that in the text the βουκολεῖον is mentioned in connexion with Dionysus. Curtius is content to regard it as having been in primitive times a royal farmhouse, including a slaughter-house for the royal sacrifices (*Stadgeschichte von Athen*, 1891, p. 51).

πρυτανεῖον] The position of the *Πρυτανεῖον* is disputed, and it is sometimes supposed that there was more than one building of the name. Pausanias tells us (i 18 § 3) that near the *Agraulæion* is 'the *Πρυτανεῖον*, in which are inscribed the laws of Solon.' By this is probably meant the original *Πρυτανεῖον*, the centre of the ancient city and the site of the hearth of the state. This *Πρυτανεῖον* was probably

τῆς τοῦ βασιλέως γυναικὸς ἡ σύμμειξις ἐνταῦθα γίγνεται τῷ Διούσῳ καὶ ὁ γάμος), ὁ δὲ ἄρχων τὸ πρυτανεῖον, ὁ δὲ πολέμαρχος τὸ Ἐπιλύκειον· δὲ πρότερον μὲν ἐκαλεῖτο πολεμαρχεῖον, ἐπεὶ δὲ Ἐπὶλυκος ἀνφοκοδόμησε καὶ κατεσκευάσεν αὐτὸ πολεμα[ρχή]σας, 30 Ἐπιλύκειον ἐκλήθη· θεσμοθεταὶ δ' εἶχον τὸ θεσμοθετεῖον. ἐπὶ δὲ

26 ΣΥΜΜΕΙΣΙΣ σύμμειξις K-W, H-L, K², coll. Meisterhans, p. 144².

(K-W). 27 καὶ ὁ γάμος delet Rutherford (H-L).

ΓΙΝΕΤΑΙ

28 ΕΠΙΛΥΚΙΟΝ: -ων K etc.

29 πολεμα[ρχῶν] H-L, invita papyro.

TESTIM. 26 Hesych. Διονύσιον γάμος: τῆς τοῦ βασιλέως γυναικὸς καὶ θεοῦ γίνεται γάμος. 28 Hesych. Ἐπιλύκ(ε)ιον (cod. ἐπιλύκειον): ἀρχεῖον τοῦ πολεμάρχου Ἀθήνησιν.

a little to the east of the ground beneath the northern, or north-eastern, cliff of the Acropolis, somewhat high up the slope (Miss Harrison, *l. c.*, p. 165). Before reaching it Pausanias had seen (i 5 § 1) the statues of the ἐπώνυμοι 'above the *Bouleuterion*' or Council Chamber of the Five Hundred. Near the latter he sees 'what is called the Θόλος, where the Prytanes offer sacrifice.' It was apparently for this reason that the Θόλος was sometimes called the πρυτανεῖον, *c. g.* in Schol. on Aristoph. *Pax* 1183, τόπος Ἀθήνησιν παρὰ πρυτανεῖον ἐν ᾧ ἐστήκασι ἀνδράντες οὗτοι ἐπώνυμοι καλοῦσιν (*ib.* p. 171 note 106). Curtius places the original *Prytaneion* in the Old Agora which, according to his view, was S. of the Acropolis; he recognises a second *Prytaneion* in the *Tholos* situated in the Agora of the Cerameicus; while he regards the *Prytaneion* of Pausanias, on the northern slope of the Acropolis, as a building belonging to Roman times (*Stadtgeschichte*, p. 302). Wachsmuth (*Stadi Athen*, i 465) accepts the *Prytaneion* of Pausanias as the original building and regards the *Tholos* in the Cerameicus as a 'dépendance' in which the *Prytanes* had their public meals in the democratic days of Athens. Round the original *Prytaneion* rose the official residences of an earlier age. First among these was the βασιλειον, or official residence of the kings, which may be identified with the building in which the four φυλοβασιλεῖς performed their religious rites (Pollux viii 111, ἐν τῷ βασιλειῳ τῷ παρὰ τὸ βουκολεῖον) and with the residence of the Archon-Basileus (Wachsmuth, p. 468). See also Bosolt, i 407 note 4.

ἔτι καὶ—γάμος] Either on the second day of the *Anihesteria* at the beginning of March, or at the Greater *Dionysia* at the end of that month, there was a procession representing the entry of Dionysus Ἐλευθερεῖς 'from without the city into

the little temple of the Cerameicus,' and his incorporation into the city by union with the noblest woman of the land, the wife of the king.' On this occasion the *Basilinna* was accompanied by fourteen venerable priestesses, and was solemnly and secretly betrothed to the god. In the temple in Limnae she administered a vow to the priestesses, offered a mystic sacrifice, wherein she prayed for all blessings for the state, and then remained for the night in the interior of the temple. Cf. [Dem.] *c. Neaeram*, §§ 74—78, and Mommsen's *Heortologie*, pp. 358—360, quoted by Mr Purser on *Dionysia* in Smith, *Dict. Ant.* i 639 a. The passage in the *c. Neaeram* § 76 speaks of the law relating to the βασιλιννα as inscribed on a tablet in the temple of Dionysus ἐν Διωμαῖς opened only once a year on the second day of the *Anihesteria*. It also describes her as τῇν θεῶν γυναῖκα δοθησομένην, but says nothing of her spending the night in the temple.

Ἐπιλύκειον] Suidas, s. v. ἀρχων, describes the official residence of the Polemarch as ἐν Λυκαίῳ, and accordingly it is generally held that 'the Polemarch had his office outside the walls, but quite close to the city, beside the Lyceum, a shrine consecrated to Apollo and frequently mentioned on account of a gymnasium existing there' (Schömann, *Antiquities*, p. 412 E. T.; see also Curtius, *Stadtgeschichte*, p. 58). The office was doubtless ἐν Λυκαίῳ (not ἐν Λυκαίῳ), and this is what is meant by the name Ἐπιλύκειον. This is far more probable than the story about the 'polemarch Epilycus,' which is justly rejected by Mr Kenyon.

θεσμοθετεῖον] Suidas, s. v. ἀρχων, on the authority doubtless of the present passage, says that the θεσμοθεταὶ held their court παρὰ τὸ θεσμοθέσιον (Bekker, *Anecd.* 449, 23, παρὰ τὸ θεσμοθέσιον). Cf. Hyperides, *Eux.* xxii, θεσμοθετῶν συνέδριον. It was there also that they dined at the public expense: Schol. Plato, *Phaedr.* 235 D,

Σόλωνος ἀ[π]αντες εἰς τὸ θεσμοθετεῖον συνήλθον. κύριοι δ' ἦσαν καὶ τὰς δίκας αὐτοτελεῖς [κρίν]ειν, καὶ οὐχ ὥσπερ νῦν προανακρίνειν. τὰ μὲν οὖν [περὶ] τὰς ἀρχὰς τούτου εἶχε τὸν τρόπον. 6 ἡ δὲ τῶν Ἀρεοπαγιτῶν βουλή τὴν μὲν τάξιν εἶχε τοῦ διατηρεῖν 34

32 αὐτοτελε[ῶν] J B Mayor (H-L).

34, 38 ἀρεοπαγεῖτ

οἱ δὲ θεσμοθέται ἐξ εἰσι τὸν ἀριθμὸν, ἀφ' ὧν καὶ ὁ τόπος, δπου συνήσαν καὶ εἰσι-
τοῦτο, θεμισιον (leg. θεσμοθέσιον vel
θεσμοθεσίον) ἐκαλεῖτο. Its position is
unknown, but it was not improbably
near the πρυτανεῖον, though there is no-
thing to prevent its being placed in the
ἀγορά, as (from the very first) the θεσμο-
θέται had judicial duties to discharge.
Köhler conjectures that it was near the
βουλευτήριον, but the evidence for this is
inconclusive (Wachsmuth, *l. c.* i p. 482—
3, ii 353—4).

ἐπὶ δὲ Σόλωνος—συνήλθον] Diog.
Laert. i 58 (of Solon), καὶ πρῶτος τῇ
συναγωγῇ τῶν ἐντὲ ἀρχόντων ἐποίησεν,
εἰς τὸ συνεπεῖν, ὡς Ἀπολλοδόωρος φησὶν ἐν
δευτέρῳ περὶ νομοθετῶν. The text con-
firms the conjecture of Schömann (*Ant.*,
p. 412 E. T.) that the 'Thesmothesium'
was used by the whole board of the nine
archons. It also favours the view that as
early as the time of Solon all the nine
archons were called *Thesmothetae* (K. F.
Hermann, *Staatsalt.* § 138, n. 3, and Bergk
in *Rheinisches Museum* xiii 449, quoted
by Wachsmuth, *l. c.*, ii 354).

αὐτοτελεῖς κρίνειν] c. 53 § 2.

κρίναν...προανακρίνειν] *Pol.* 1298 a
31, τέταρτος δὲ τρόπος τὸ πάντας περὶ
πάντων βουλευέσθαι συνιόντας, τὰς δ' ἀρ-
χὰς περὶ μηδεὸς κρίνειν ἀλλὰ μόνον
προανακρίνειν, ὅνπερ ἡ τελευταία δη-
μοκρατία νῦν διοικεῖται τρόπον. This is
in favour of κρίνειν, as against νοεῖν (sug-
gested by Suidas).—In the later and
better-known times of Athenian law, we
find these archons deprived in great mea-
sure of their powers of judging and de-
ciding and restricted to the task of first
hearing the parties and collecting the
evidence; next, of introducing the matter
for trial into the appropriate dikastery,
over which they presided' (Grote, *H. G.*
chap. 10, ii 283 ed. 1861).

§ 6. ἡ τῶν Ἀρεοπαγιτῶν βουλή] The
first establishment of the senate of Areo-
pagus is sometimes ascribed to Solon.
Thus Plutarch, *Sol.* 19 *init.*, says of Solon
συστήσάμενος τὴν ἐν Ἀρεῷ πάγῳ βουλήν
ἐκ τῶν κατ' ἐνιαυτὸν ἀρχόντων. But in *Ar.*
Pol. ii 1274 a, it is stated that the
Council of the Areopagus was already
in existence: οἶκε δὲ Σόλων ἐκεῖνα μὲν

ὑπάρχοντα πρότερον οὐ λύσαι, τὴν τε βου-
λήν καὶ τὴν τῶν ἀρχῶν αἵρεσιν. On the
other hand, Cicero, *de Off.* i 22 § 75,
speaks of it as the *senatus, qui a Solone
erat constitutus*; and Pollux, viii 125, de-
scribes it as established by Solon as a
tribunal of homicide, in addition to that
of the Ephetae. 'But there can be little
doubt' says Grote, ii p. 281, 'that this
is a mistake, and that the senate of
Areopagus is a primordial institution,
of immemorial antiquity, though its con-
stitution as well as its functions under-
went many changes. It stood at first
alone as a permanent and collegiate au-
thority, originally by the side of the
Kings and afterwards by the side of the
archons. It would then of course be
known by the title of *The Boulê—The
senate or council*; its distinctive title,
"Senate of Areopagus" (borrowed from
the place where its sittings were held),
would not be bestowed until the forma-
tion by Solon of the second senate or
council, from which there was need to
discriminate it.' The Areopagus appears
to represent the Homeric βουλὴ γερόντων
(Meier and Schömann p. 10), and is proba-
bly as early as the time of the Attic
kings; but, if so, its number must have
been very limited. By modern writers its
number is sometimes supposed to have
been either 300 (Schömann, *Jahrb. f. kl.*
Philol. 1875, p. 154, Hermann, *Staatsalt.*
§ 102, 17, Lange, *Éphed. u. Areop.* p. 27,
Duncker, *Gesch. des Alterth.* v 473 = *H. G.*
ii 141 E. T.); or 360, representing the
360 γένη (Philippi, *Areop. u. Epheten*, p.
206); or 60, i.e. 15 nominated by each of
the four tribes, and including the 9 archons,
the remaining 51 being those known as
the Ephetae (Busolt, i 418). As soon as
it became customary for the archons to
be added to the Areopagus at the end of
their year of office, the number would
cease to be fixed; but we do not know
at what time this method of recruiting the
Areopagus was first adopted. Mr Kenyon
suggests that 'the automatic process of
forming it from all ex-archons was proba-
bly put into operation from the date of the
establishment of the annual archonship.'

τὴν μὲν τάξιν κτλ.] This confirms
Grote's statement that 'the functions of

35 τοὺς νόμους, δίδκει δὲ τὰ πλείστα καὶ τὰ μέγιστα τῶν ἐν τῇ πόλει, καὶ κολάζουσα καὶ ζημ[ιο]ῦσα πάντας τοὺς ἀκοσμοῦντας κυρίως. ἡ γὰρ αἵρεσις τῶν ἀρχόντων ἀριστίνδην καὶ πλουτίνδην ἦν, ἐξ ὧν οἱ Ἀρεοπαγῖται καθίσταντο. διὸ καὶ μόνῃ τῶν ἀρχῶν αὕτη μεμένηκε διὰ βίου καὶ νῦν.

4. ἡ μὲν οὖν πρώτη πολιτεία ταύτην ἐ[?]χε τὴν ὑπο[γρα]φήν. μετὰ δὲ ταῦτα, χρόνου τινὸς οὐ πολλοῦ διελθόντος, ἐπ' Ἀρι-

36 καὶ κολάζουσα: καὶ delet Gennadios (H-L).
ante ἡ γὰρ aliquid excidisse putat Keil.

37 γὰρ: δὲ mavult Gennadios,

the Areopagus were originally of the widest senatorial character, directive generally as well as judicial.' With the context, cf. Isocr. *Areop.* § 37, τὴν ἐξ Ἀρείου πάγου βουλὴν ἐπέστησαν ἐπιμελεῖσθαι τῆς εὐκοσμίας, ἥς οὐχ οἶόν τ' ἦν μετασχεῖν πλὴν τοῖς καλῶς γεγονόσι καὶ πολλὴν ἀρετὴν ἐν τῷ βίῳ καὶ σωφροσύνην ἐνδεδειγμένοι, and §§ 30—55, esp. § 46, τοὺς ἀκοσμοῦντας ἀνήγον ἐπὶ τὴν βουλὴν. *Athen.* iv 19 p. 168 A: οἱ δὲ τοὺς ἀσώτους καὶ τοὺς μὴ ἐκ τῶς περιουσίας ζῶντας τὸ παλαιὸν ἀνεκαλοῦντο οἱ Ἀρεοπαγῖται καὶ ἐκόλαζον, ἰσθόρησαν Φανόδημος καὶ Φιλόχορος (FHG i 394, c. 387, 17).

διατηρεῖν τοὺς νόμους] *Aeschin.* 3 § 6, δταν διατηρηθῶσι οἱ νόμοι τῇ πόλει, σφίζεται καὶ ἡ δημοκρατία.

γὰρ] The Areopagus was entrusted with all these powers, because it consisted of archons who had themselves been elected under special qualifications of birth and wealth.

The constitution of the Areopagus is the subject of a fragment of Philochorus (frag. 58 in Müller's *Frags. Hist. Gr.*, i 394): ἐκ γὰρ τῶν ἐννέα καθισταμένων ἀρχόντων Ἀθήνησι τοὺς Ἀρεοπαγῖτας εἶδει συνεστάναι δικαστάς, ὥς φησιν Ἀνδροτίων ἐν δευτέρῳ τῶν Ἀτθίδων βυτερον δὲ πλειόνων γέγονεν ἡ ἐξ Ἀρείου πάγου βουλὴ· τοῦτέστιν ἐξ ἀνδρῶν περιφανεστέρων πενήκοντα καὶ ἐνός (this implies an identification of the Ephetae and the Areopagus). οὐ πάντ' ἀνδρῶς ἦν ἐπὶ τὴν ἐξ Ἀρείου πάγου βουλὴν τελεῖν· ἀλλ' οἱ παρ' Ἀθηναίους πρωτεύοντες ἐν τε γένει καὶ πλούτῳ καὶ βίῳ χρηστῶ, ὥς ἱστορεῖ Φιλόχορος διὰ τῆς τριτῆς τῶν αὐτῶν Ἀτθίδων.

διὸ—καὶ νῦν] 'This is also the reason why it is the only office which has continued to be held for life down to the present day.' For διὰ βίου, cf. 2 § 1.

IV. The Draconian Constitution.

τὴν ὑπογραφὴν] 'outline', 'sketch'. *Ar. de Gen. Anim.* ii 6, 743 b 20—25,

esp. οἱ γραφεῖς ὑπογράφαντες ταῖς γραμμαῖς οὕτως ἐναλείφουσι τοῖς χρώμασι τὸ ζῶον. *De Anima*, ii 1, 413 a 10, τότε .. ταύτῃ διωρίσθω καὶ ὑπογεγράφθω περὶ ψυχῆς. *Pol.* ii 5, 1263 a 31, ἐστὶν ἐν ἐνταῖς πόλεσιν οὕτως ὑπογεγραμμένοι.

χρόνου—διελθόντος] A vague note of time, the event from which the writer reckons being apparently the affair of Cylon and its more immediate consequences (c. 1).

Ἀρισταρχμον ἀρχοντος] The name of this archon (*Ἀρίσταρχμος*) is now known for the first time. It follows that Dracon was not the ἀρχων ἐπώνυμος of the year, as has been sometimes supposed (e.g. Busolt, i 510). Cf. Pausanias, ix 36 § 8, ἀρχόντος Ἀθηναίους θεσμοθετήσαντος ἐκ τῶν ἐκείνου κατέστη νόμος, οὗς ἔγραφον ἐπὶ τῆς ἀρχῆς, ἄλλων τε δπόδων ἀδειαν εἶναι χρῆ, καὶ δὴ καὶ τιμωρίας μοιχοῦ. It may fairly be assumed that he was one of the θεσμοθέται, in the narrower sense of the term. Hence Grote is right in describing him as 'the thesmothet Drako.' His legislation may be assigned to B.C. 621 (Clinton's *Fasts*, sub anno; Busolt, i 510).

θεσμούς· ἐθηκεν] This confirms the view that he was one of the θεσμοθέται at the time. θεσμοί was the term generally applied to the laws of Dracon: Andocides, *de Myst.* § 81, χρῆσθαι τοῖς Σόλωνος νόμοις καὶ τοῖς Δράκοντος θεσμοῖς. But even the laws of Solon were by himself called θεσμοί. Plutarch, *Sol.* 19, quotes from one of them the words οὗτε θεσμός ἐφανῆ δδε, and the word occurs in his own poems c. 12 § 4, line 18, θεσμοῖς...ἐτραψα. The same ancient term was preserved in the oath of the περὶπολοι in Pollux viii 106, καὶ τοῖς θεσμοῖς τοῖς ἱδρυμένοις πείσομαι, which in later Greek would have been expressed τοῖς νόμοις τοῖς κειμένοις (cf. Grote, c. 10, ii p. 283, note).

§ 2. ἡ δὲ τάξις κτλ.] To identify the τάξις, or constitution, with the θεσμοί, or

σταίχμου ἄρχοντος Δρά[κω]ν τοὺς θεσμοὺς ἔθηκεν' ἡ δὲ τάξις 2

legislation, is inconsistent with the distinction drawn by Aristotle in *Pol.* 1289 a 15, *πολιτεία μὲν γὰρ ἐστὶ τάξις ταῖς πόλεσιν ἡ περὶ τὰς ἀρχάς...νόμοι δὲ κεχωρισμένοι τῶν δηλούντων τὴν πολιτείαν, καθ' οὓς δὲ τοὺς ἀρχοντας ἀρχεῖν κτλ.* Cf. also 1286 a 3. This distinction is maintained in cc. 7 and 9, but not in c. 34. The term *θεσμοί* has a distinctive meaning and can only refer to a code, not to a constitution (*Class. Rev.* v 167 a).

Dracon has hitherto been recognised as a legislator alone. There is a well-known passage respecting him in *Ar. Pol.* ii 12, p. 1274 b 15, *Δράκωντος δὲ νόμοι μὲν εἰσι, πολιτεία δ' ὑπαρχούση τοῖς νόμοις ἔθηκεν κτλ.* This passage, which describes Dracon as adapting his laws to a constitution already in existence, is inconsistent with the present chapter, which almost ignores the legislation of Dracon and represents him as the framer of a constitution.

The passage in question comes from a chapter which, in the opinion of Zeller, Susemihl and other Aristotelian scholars, has suffered from considerable interpolation. Thus Mr W. L. Newman conjectures 'that Aristotle may have left only the fragment about Solon and a few rough data for insertion after the notice of the Carthaginian constitution, and that some member of the school, not very long after his death, completed them as best he could' (Newman's ed. ii 373, 377). Accordingly it is possible that the passage about Dracon in the *Politics* was not written by Aristotle himself.

In *Rhet.* ii 23 § 29, 1400 b 21, *Ar.* quotes Herodicus (the physician) as saying of Dracon (ὁ νομοθέτης), *οἱ οὐκ ἀνθρώπου οἱ νόμοι ἀλλὰ δράκοντος· χαλεποὶ γάρ.* Of the actual legislation of Dracon little is known, since his laws (with the exception of those on homicide) were repealed by Solon (c. 7 § 1 *πλὴν τῶν φονικῶν* and *Plut. Sol.* 17 there quoted). This is possibly a sufficient reason for the absence of any reference to it in the constitutional part of this treatise, except in the words *τοὺς θεσμοὺς ἔθηκε.* All that survived is sufficiently described in the second part of the work, in the account of the procedure in cases of homicide (c. 57).

According to the text the main points in the constitution of Dracon's time are (1) a hoplitic franchise, already in existence; (2) those who had this franchise elected the Archons, the *Tamiae*, the *Strategi*, the *Hipparchi* and the *Prytanes* (unless, indeed, these are identical with

the Archons) from among those who were duly qualified by a property-qualification. (3) A Council of 401, elected by lot from among those who had the franchise, and were over 30 years of age. The same limitation held good for other offices filled by casting lots, and no one was to hold office twice till every one else had had his turn. (4) Members of the Council were fined for not attending meetings of the Council or Assembly, and the fine varied with their status.

This 'Draconian constitution' has, not unnaturally, been viewed with suspicion. It tells us of a Council of 401, of which we never hear elsewhere, and (which is more serious) of certain property-qualifications which have hitherto been regarded as part of the subsequent legislation of Solon, and which the author himself minutely describes in connexion with Solon (c. 7). A writer in the *Athenaeum*, 1891, p. 435 b, denounces it as 'the amazing Draconian constitution.' It has also been attacked by Weil (*Journal des Savants*, Avril, 1891), and Cauer; also by Mr Macan in the *Journ. of Hellenic Studies*, April, 1891, pp. 24, 27, and in detail by Mr J. W. Headlam in an article in the *Class. Rev.*, v 166—168; followed by valuable criticisms by Mr E. S. Thompson, *ib.* p. 336, and by M. Théodore Reinach in the *Revue Critique*, p. 143—5.

Mr Headlam's main points are these: (1) No other writer knows anything of a constitution attributed to Dracon. Plutarch, when speaking of the *θεσμοί* of Dracon, mentions nothing but a code of law. (2) Other passages in the *πολιτεία* itself support the view taken by Plutarch and in the *Politics*. (a) In chap. vii the writer speaks of the *θεσμοί* of Dracon in connexion with the new code of laws made by Solon, but makes no reference to Dracon in speaking of the constitutional innovations of Solon. (b) The recapitulation in c. 41 states that the characteristic feature of Dracon's legislation was the publication of the law. This is inconsistent with chap. 4 and its very remarkable constitution. (3) Among the provisions of the constitution at least one could not possibly have been devised in Dracon's time, the property-qualification for the archonship being expressed in terms of money that probably belong to a later age; nearly all of them are very difficult to reconcile with what we know of the state of Athens at the time; and several of them inconsistent with other

αὕτη τόνδε τὸν τρόπον εἶχε. ἀπεδέδοτο μὲν ἡ πολιτεία τοῖς ὅπλοις
5 παρεχομένοις· ἤρουντο δὲ τοὺς μὲν ἐννέα ἄρχοντας [καὶ τ]οὺς
[τ]αμίας οὐσίαν κεκτημένους οὐκ ἐλάττω δέκα μνῶν ἐλευθεράν,

IV 4 ΔΥΤ' (= αὐτῆς): correx. K.

(K-W, K², B): mihi quidem Δ' (δὲ) potius quam Μ' (μὲν) videtur scriptum: om. H-L.

5 ΔΡΧΟΝΤΕΣ

6 ἐλάττω ἢ K-W.

ΔΕΚΑ: ἐκατὸν Thompson; διακοσίων

Weil (*Journal des Savants*, p. 10); 'maiorē censem nemo non expectet' H-L.

statements in this book. (4) None of the provisions, some of them very remarkable, are ever quoted by later writers. (5) The whole constitution is exactly like those afterwards described in connexion with the aristocratic revolutions in 411. The details connected with the above criticism will be noticed as they occur in the following notes.

Dr P. Meyer (*Des Aristoteles Politik und die 'Athenaion' πολιτεία*, pp. 31—44) regards the passage in the *Politics* and the present chapter as, both of them, equally genuine, and vainly endeavours to reconcile the two. He holds that the 'Draconian constitution' does not differ materially from the constitution which preceded it, the *ἀρχαία πολιτεία* of c. 3. If so, the writer of the present chapter has not succeeded in making the points of resemblance clear. The 'Draconian constitution' is defended with greater success by Prof. Gomperz (*Die Schrift vom Staatswesen der Athener*, p. 43). He holds that, in distributing the citizens of Attica into four classes, Solon availed himself of existing social divisions, and gave them a new definition. This may hold good in the case of the *ἱππεῖς*, the *zeugitai* and the *thetes*. But it is difficult to accept it in the case of the *πεντακοσιομέδμοι*. The term is used without any explanation in the present chapter; but, in the description of Solon's constitution, it is defined with precision as though it were then used for the first time. One would be glad to believe with Mr Kenyon, in his note on this chapter, p. 13 ed. 3, that 'a sober historical judgment will probably in the end find its statements not so startling as they at first appear'; but at present the contents of the greater part of the chapter seem to require the most careful scrutiny before they can be finally accepted.

Considerations in favour of the account are urged by Busolt, in *Philol.* 1891, vol. 50, pp. 393—400. He points out that the Pseudo-Platonic *Axiarchus*, which has several points of contact with this treatise (cf. c. 18 § 1, 34 § 1, 42 § 2), uses the phrase

ἐπὶ τῆς Δράκοντος ἢ Κλεισθένης πολιτείας (p. 365). While admitting the coincidences with the oligarchical constitutions of 411, he holds that the oligarchs professed to aim at the restoration of the *πάτριος πολιτεία*, which may fairly be identified with the pre-Solonian constitution. (1) The term *πεντακοσιομέδμος* must originally have referred to measures of corn: Solon extended its meaning to measures of wine and oil, and gave it a different value by changing the standard. (2) Fines in money may have been exacted by the State at a time when private transactions were settled by the transfer of oxen. (3) We know little of the early history of the *στρατηγία*, but it is possible that the fears inspired by the affair of Cylon may have led the aristocracy to limit the authority of the polemarch by means of four *στρατηγοί* appointed from the wealthier class.

ἀπεδέδοτο κτλ.] not ἀπεδόθη. The tense implies that the franchise had already been given and that this was not part of the alleged constitution of Dracon. This point is brought out by Mr Poste who translates: 'Sovereign power was already wielded by the class of persons capable of providing its own equipment for war.' He adds in a note: 'This agrees with the statement of Aristotle, *Pol.* ii 12, that Dracon made no change in the constitution. The revolution had already taken place. Dracon's task was to adjust the laws to the changed centre of political power.' Mr Kenyon's rendering is here less exact: 'The franchise was given &c.' (see, however, *Class. Rev.* v 467 b).—The same kind of franchise is to be found in the constitution proposed by the party of Theramenes in 411, c. 33 at end, Thuc. viii 97, and Xen. *Hell.* ii 3 (*Class. Rev.* v 168 a).

δέκα μνῶν] We have to notice (1) the nature, no less than (2) the amount of the property-qualification required of archons.

(1) At this time property was reckoned not in money but in corn. Now, the qualification of a *zeugitēs* was to possess land capable of producing 200 *μέδμοι*: a

[Col. 2.] τὰς δ' ἄλλας ἀρχὰς || <τὰς> ἐλάττους ἐκ τῶν ὅπλα παρεχ[ομένων], στρατηγούς δὲ καὶ ἱππάρχους οὐσίαν ἀποφαίνοντας οὐκ ἐλάττον ἢ ἐκατὸν μῶν ἐλευθέραν καὶ παῖδας ἐ[κ] γαμετῆς γυναικὸς γνησίους ὑπὲρ δέκα ἔτη γεγονότας· τούτους δ' ἔδει διε[γγυ]ᾶ[σθαι] τοὺς 10 πρυτάνεις καὶ τοὺς στρατηγούς καὶ τοὺς ἱππάρχους τοὺς ἐνους

7 <τὰς> ἐλάττους Richards, Blass, K-W, H-L, K². 8 ἐλάττον Marchant coll. Dobr. Adv. in Thuc. ii 13: ἐλάττων olim K. 9 ἢ ἐκατὸν in ἑκαστῶν ἢ (= ὁκτώ) mutabat Marindin (Smith, *Dict. Ant.* ii 1071 δ). ἢ delet Thompson, utpote ex numerali H (= ἐκατὸν) natum. ἐλευθερώων: corr. Wyse etc. 10 Δ' Δι (supra scr. Δει)...δ' ἔδει διατρεῖν H-L; διεγγῶν Schulthess deletis verbis καὶ τοὺς στρατηγούς καὶ τοὺς ἱππάρχους; δι.....K-W; δ' ἔδει διεγγῶσθαι K², B. 11 τοῦ γένους K¹: τοὺς ἐνους Paton et van Leeuwen (edd.), quod et in papyro scriptum et unice verum est, cf. [Dem.] 25 § 20 τὰς ἐπας ἀρχὰς ταῖς νέαις ἐκούσας ὑπεξίναί, et Ar. Pol. 1322 a 11 τὰς τῶν ἐνῶν (Scaliger) μᾶλλον τὰς νέας (ἀρχὰς).

μέδιμνος of corn was worth at this time about a drachma (Plut. Sol. 23). Land of this extent must thus have been worth not less than 2000 drachmas. According to this, men were eligible to the archonship who were excluded by Solon from all office (*Class. Rev.* v 167 δ).

(2) In the constitution described in c. 29, the archons and prytanes alone were to receive pay, 2 obols a day, implying that no high property-qualification was required. The comparatively high qualification for the generals, 100 minae (if the text is sound), would be natural in 411 but not in 621 (*ib.* 168 a).

Busolt, however, points out that the two qualifications of 100 and of 10 minae respectively correspond to the relative values of gold and silver in ancient times, 10:1. He supposes that a piece of land valued at 1000 Aeginetan drachmae might produce a return of 120—130 Aeginetan or 166—180 Attic drachmae; and if we assume that in those early days, when money was scarcer than in Solon's time, a medimnus was worth only 2 to 3 Aeginetan obols, the yearly produce would be from 360 (or 390) to 250 medimni. This would correspond to the census of a *πρωτὸς* under the Solonian constitution (*Philol.* 1891, pp. 393—400).

l. 6. ἀνεύθεον, 'unencumbered.' Isaeus 10 § 17, ὁ μὲν κλήρος ἐλεύθερος ἦν, contrasted with ὑπόχρεως. Dem. 35 § 21, ὑποτιθέσθαι ταῦτ' ἐλεύθερα, and § 22, ἐπ' ἐλευθέρους τοῖς χρήμασι δανειζόμενοι. Dittenberger, *Sylloge*, no. 344, 38; 294, 10; 126, 20, 28. Cf. c. 12, 34.

l. 8. στρατηγούς] It is urged by Mr Headlam that (a) We have no other record of στρατηγοὶ at this time: in the list in c. vii § 3 they are not mentioned. (b) The clause about their children is entirely

new. (c) If there were such officers, they held an inferior position, and the comparatively high property-qualification is unaccountable (*Class. Rev.* 167 δ). Qualifications of a similar character may, however, be noticed at a much later date, in Deinarchus, *cont. Dem.*, § 71, τοὺς νόμους προλέγειν τῷ ῥήτορι καὶ τῷ στρατηγῷ (τῷ) τὴν παρὰ τοῦ δήμου πίστιν ἀξιούντι λαμβάνειν, παιδοποιεῖσθαι κατὰ τοὺς νόμους, γῆν ἐντός ὧρων κεκτῆσθαι, πάσας τὰς δικαίας πλῆρεις παρακαταθέμενον, οὕτως ἀξιῶν προσεσθῆναι τοῦ δήμου.

διεγγῶσθαι] If this is the right reading, it must presumably be rendered 'should have security given on their behalf.' The accepted meaning of the word in the passive is 'to be bailed' by any one, e.g. Thuc. iii 70, ὁκτακοσίων ταλάντων τοῖς προξένοις διεγγυημένοι.

τοὺς πρυτάνεις] Here mentioned for the first time, whereas the form of the sentence (so far as the text is sound) implies they have already been referred to. If so, they must either be included among the ἄλλας ἀρχὰς τὰς ἐλάττους, or they are identical with the ἐνέα ἀρχόντες. As to the latter alternative, it is probable that up to the time of Solon the archons were called πρυτάνεις. This is inferred by Busolt, i 408, from the term for court-fees, πρυτανεία, which cannot be explained with the help of anything in the post-Solonian constitution, and from the analogy of Greek states in Asia, where the king was succeeded by a πρύτανις. It will be remembered that the official residence of the Archon was the πρυτανεῖον, c. 3 § 5. This appears better than identifying them with 'the president of the Council and Assembly in later days.'

μέχρι εὐθυνην, ἐγγυητὰς τέτταρας ἐκ τοῦ αὐτοῦ τέλους * παρασχο-
 μένους οὐπερ οἱ στρατηγοὶ καὶ οἱ ἵππαρχοι. βουλευεῖν δὲ τετρακο- 3
 σίους καὶ ἓνα τοὺς λαχόντας ἐκ τῆς πολιτείας κληροῦσθαι δὲ καὶ ταύ-
 15 την καὶ τὰς ἄλλας ἀρχὰς τοὺς ὑπὲρ τριάκοντα ἔτη γεγονότας, καὶ δις
 τὸν αὐτὸν μὴ ἄρχειν πρὸ τοῦ πάντας *[δι]ελθεῖν· τότε δὲ πάλ[ιν] ἐξ

12 εἴτ[ε] τας ἐγγυητὰς K², K-W, B; ἐπιμελητὰς H-L. δ' K¹; δ̄ (=τέτταρας) K-W, H-L etc. Δ' (?supra scr. οΔ?) χομ'ογς; δεχομένους K, K-W, H-L: παρεχομένους Rutherford, ἴσχομενογς fortasse volebat corrector; idem conicit Blass qui in ectyπο πε (supra scr. ογ=οὐπερ) χομενογς in πχομενογς correctum agnoscit.
 16 ΤΡΙΑΚΟΝΘΕΤΗ. 16 περιελθεῖν K¹. Expectares potius aut eis πάντας περιελθεῖν aut διὰ πάντων διελθεῖν τὴν ἀρχήν: quod ad illud attinet, cf. Plut. *Arist.* 5 ὡς περιήλθεν eis αὐτὸν ἡ ἀρχή; quod ad hoc, Ar. *Pol.* 1298 a 17 et 1300 a 25 ὥς ἂν διελθῇ διὰ πάντων: etiam πάντας ἐξῆς λαχεῖν concicere in promptu est, coll. [Xen.] *Rep. Ath.* i 6 μὴ εἴν λέγειν πάντας ἐξῆς μηδὲ βουλευεῖν. ἐξελθεῖν K-W, H-L, K², B; διελθεῖν malui: praestaret διεξελθεῖν (K-W²), sed spatium non sufficit.

μέχρι εὐθυνην] 'until the audit.' At Athens, according to the evidence of later times, all officials were *εὐθύνοιοι*. Aeschin. *Ctes.* § 17, οὐδέεις ἔστιν ἀνπεύθυνος τῶν καὶ ὁπωσοῦν πρὸς τὰ κοινὰ προσεληλυθῶτων.

παρασχομένοις] Often used in middle with *μαρτυρας*, *Pol.* 1260 a 2, *παρασχέσθαι* πλήθος μαρτύρων, and Ant. 5 §§ 20, 22, 24, 28, 30, &c. Cf. Aeschin. *c. Ctes.* 199, *συνηγρόους παρασχέσθαι*. The usual verb with ἐγγυητὰς is *καθιστάναι*, Dem. 24 §§ 39, 40, 55, and esp. 144, *ὅτι ἂν ἐγγυητὰς τρεῖς καθιστῇ τὸ αὐτὸ τέλος τελούντας*.

§ 3. βουλευεῖν] This is the only mention of a Draconian council of 401. In c. 8 we are told of Solon βουλὴν δὲ ἐποίησε τετρακοσίους, i.e. 'he set up a council of 400.' Had the writer already mentioned a council of 401 he would probably have expressed himself differently in c. 8. The addition of the 'one' is a common device to prevent the votes being exactly equal. But it is a device mainly characteristic of later times, e.g. the *δικαστήρια* consisting of 501, or 1001, *δικασταί*. On the other hand, we have the 51 Ephetae who are generally ascribed to the time of Dracon.

ἐκ τῆς πολιτείας=ἐκ τῶν πολιτῶν.

κληροῦσθαι] the first mention of election by lot in this treatise. Hitherto, it has been generally agreed that, even in Solon's time, the Council was not appointed by lot, and this view is accepted by Thirlwall, Grote, Schömann (*Antiq.* p. 331 E. T.), and others. The introduction of the lot for this purpose has been usually ascribed to the time of Cleisthenes (508 B.C.). But the present passage implies that the use of the lot was as early as the time of Dracon. This, if true, sup-

ports the opinion of Fustel de Coulanges (*la Cité Antique*, p. 212—4, ed. 1883), that the lot is an institution of religious origin and therefore of great antiquity. See Mr J. W. Headlam's *Election by Lot at Athens*, esp. pp. 183—, and note on c. 8 § 1 *infra*.

ταύτην] τὴν ἀρχήν, sc. τὸ βουλευεῖν. τὰς ἄλλας ἀρχὰς, exclusive of the Archons, Strategi and Hipparchi, already mentioned, but probably not exclusive of the ἄλλας ἀρχὰς τὰς ἐλάττους.

τριάκοντα ἔτη] This is the age at which an Athenian citizen could become a βουλευτής (Xen. *Mem.* i 2 § 35) or a δικαστής (c. 63 § 3, cf. document quoted in Dem. *Timocr.* 151, and Pollux, viii 122). It has already been inferred (Meier and Schömann, *Att. Proc.*, p. 240 Lipsius) that the same requirement of age held good for other officials, the ἄλλαι ἀρχαὶ of the text. (The Ephetae and the public Envoys were, however, required to be 50 years of age; the Diaetetae 59.)

δις τὸν αὐτὸν μὴ ἄρχειν κτλ.] *Pol.* 1299 a 10, μὴ τὸν αὐτὸν δις ἄλλ' ἅπαξ μόνον (ἀρχειν) and 1317 b 23 τὸ μὴ δις τὸν αὐτὸν ἄρχειν μηδεμίαν ἢ ὀλιγάκις ἢ ὀλίγας ἔξω τῶν κατὰ πόλεμον. Of officials in general we read in Dem. *Timocr.* 150 (document quoted as *ῥηκος ἡλιαστῶν*) οὕτε δις τὴν αὐτὴν ἀρχὴν τὸν αὐτὸν ἀνδρα οὕτε δύο ἀρχὰς ἀρξαι τὸν αὐτὸν ἐν τῷ αὐτῷ ἐνιαυτῷ. The same citizen could be a βουλευτής more than once, as is shewn by the case of Timarchus and that of Demosthenes (*adv. Mid.* 114 and Aeschin., *F. L.* 17); and is stated in c. 62 *ad fin.* It is doubted by Boeckh (*Staatsk.* ii 763) whether the same citizen could be a βουλευτής for two years in succession, but this is purely conjectural (Hermann's

ὑπαρχῆς κληρουν. εἰ δέ τις τῶν βουλευτῶν, ὅταν ἔδρα βουλῆς ἢ ἐκκλησίας ᾗ, ἐκλείποι τὴν σύνοδον, ἀπέτινον ὁ μὲν πεντακοσιο-

18 ἐκλείποι H-L.

Staatsalt. § 125, 1). The ἐπιστάτης τῶν πρῶτων was not allowed to hold that office more than once (c. 44 § 1).

The rotation of all in office was a well-known device of later times (cf. Headlam's *Election by Lot*, p. 88): but it may well be asked how far it was applicable to a large body of citizens, most of whom lived at a considerable distance from Athens. It was in fact the work of a developed democracy (*Class. Rev.* v 168 a). *Ar. Pol.* vi (iv) 14, 1298 a 14, ἐν ἄλλαις δὲ πολιτείαις βουλευσονται αἱ συναρχαὶ συνιούσαι, εἰς δὲ τὰς ἀρχὰς βαδίζουσιν πάντες κατὰ μέρος ἐκ τῶν φυλῶν καὶ τῶν μορίων τῶν εὐλαχίστων παντελῶς, ἕως ἂν διεξέλθῃ διὰ πάντων. *ib.* p. 1300 a 23, ἢ γὰρ πάντες (οἱ πολῖται τὰς ἀρχὰς καθιστάσιν) αἰρέσει, ἢ πάντες ἐκ πάντων κλήρω (καὶ [ᾗ] ἐξ ἀπάντων ἢ ὡς ἀνὰ μέρος, ὅσον κατὰ φυλὰς καὶ δήμους καὶ φατρίαις, ἕως ἂν διέλθῃ διὰ πάντων τῶν πολιτῶν κτλ.). It is characteristic of the oligarchical spirit μὴ ἔαν λέγωιν πάντας ἐξῆς μὴδὲ βουλευεῖν ([Xen.] *Rep. Ath.* i 6).

διελθεῖν] τὴν ἀρχήν. Cf. βίον διελθεῖν. It would, however, be more natural to say διὰ πάντων διελθεῖν or διεξελεῖν (τὴν ἀρχήν), as in *Pol.* 1273 b 17, διὰ πάντων ... διελήλυθε τὸ ἀρχεῖν καὶ τὸ ἀρχεσθαι, and the passages quoted in last note.

For ἐξελεῖν ex urna (van Leeuwen) cf. Horace's *sortis exitura*, but this use of ἐξελεῖν is doubtful. In *Pol.* ii 11, 1273 a 16, the word is applied otherwise, to the 'going out of office' (of certain officials in the Carthaginian constitution), καὶ γὰρ ἐξεληλυθότες ἀρχοῦσι καὶ μέλλοντες.

ἔδρα βουλῆς] c. 30 § 4. ἐκκλησίας] Of the general assembly of the citizens, in or before the times of Dracon, nothing is known. 'The people must have had some power' (says Mr Abbott, *History of Greece*, i 2301), 'or the Draconian laws would not have been published, and Solon would not have been chosen to reform the constitution. We do not know that the officers were elected by, or responsible to, the assembly, and of legislative and judicial authority the people had none. Perhaps we may assume that war could not easily be proclaimed without their consent, as they formed the bulk of the soldiers. If that were the case, the safety and power of the State depended, in the last resort, upon the General Assembly.'

αἱ δὲ τι...ἐκλείποι...ἀπέτινον] Goodwin's *Moods and Tenses*, § 462.

ἐκλείποι τὴν σύνοδον] Xen. *Hell.* v 2 § 22, εἰ δέ τις τῶν πόλεων ἐκλείποι τὴν στρατείαν, ἐξείναι Λακεδαιμονίους ἐπιζημιοῦν στήρι κατὰ τὸν ἀνδρα τῆς ἡμέρας. The phrase is not found in Aristotle, although in *Pol.* 1331 b 10 we have πρὸς ἀγορὰ...καὶ συνόδῳ τινὶ κοινῇ. σύνοδος is applied to an ἐκκλησία in 1319 a 32, οἱ δὲ γεωργοῦντες διὰ τὸ διεσπάρθαι κατὰ τὴν χώραν οὐτ' ἀπαντῶσιν οὐδ' ὁμοίως δέονται τῆς συνόδου ταύτης, and to the συσσίτια in 1271 a 28, εἴδει γὰρ ἀπὸ κοινῶν μᾶλλον εἶναι τὴν σύνοδον, καθάπερ ἐν Κρήτῃ. ἐκλείπειν is generally intrans. in *Ar.*—Fines for non-attendance are mentioned in *Pol.* 1297 a 17 (among the devices by which oligarchies deceive the people), περὶ ἐκκλησίας μὲν τὸ εἶναι πᾶσιν ἐκκλησιαζέειν, ζημίαν δὲ ἐπικείσθαι τοῖς εὐπόροις ἔαν μὴ ἐκκλησιαζώσιν..., and (among the counter-devices on the part of democracies) 1297 a 37, τοῖς μὲν γὰρ ἀπόροις μισθὸν πορίζουσιν ἐκκλησιαζέουσι καὶ δικάζουσιν, τοῖς δ' εὐπόροις οὐδεμίαν τάττουσι ζημίαν. 1294 a 38, ἐν μὲν γὰρ ταῖς ὀλιγαρχίαις τοῖς εὐπόροις ζημίαν τάττουσιν, ἀν μὴ δικάζωσιν, τοῖς δὲ ἀπόροις οὐδένα μισθόν, ἐν δὲ ταῖς δημοκρατίαις τοῖς μὲν ἀπόροις μισθόν, τοῖς δὲ εὐπόροις οὐδεμίαν ζημίαν.

Mr Headlam observes that the only Athenian instance of a law inflicting a fine for non-attendance at the Council is to be found in the constitution of the 400 in c. 30 *ult.*

There is no evidence as to fines for non-attendance at official duties in the earlier part of Athenian history. The fines inflicted by Solon's legislation are of a completely different character.

In the laws of Dracon fines were levied in terms of so many head of oxen: Pollux ix 61, κἂν Δράκοντος νόμος ἐστὶν ἀποτινεῖν εἰκοσάβοιον. This may have been the compensation paid to a man's relatives in a case of unintentional homicide. But (as observed by Busolt, *Philol.* 1891, p. 399) fines paid to the public chest in the form of oxen would be very inconvenient, and in such cases the payment was probably exacted in money.

ἀπέτινον] *Ar. Pol.* ii 12, 1274 b 20, ζημίαν ἀποτινεῖν (in an interpolated chapter).

πεντακοσιμέδωμος, [ἑπεί, [συγίτης] see c. 7 § 4. All these have hitherto been

μέδιμνος τρεῖς δραχμας, ὁ [δὲ εἰ]ππεὺς δύο, ζευγίτης δὲ μίαν. ἡ δὲ 4
 10 βουλὴ ἡ ἐξ Ἀρείου πάγου φύλαξ ἦν τῶν νόμων καὶ διετήρ[ει τὰς]
 ἀρχὰς ὅπως κατὰ τοὺς νόμους ἀρχωσιν. ἐξῆν δὲ τῷ ἀδικουμένῳ
 πρὸς τὴν τῶν Ἀρεοπαγιτῶν βουλήν εισαγγέλλειν ἀποφαίνοντι
 παρ' ὃν ἀδικεῖται νόμον. ἐπὶ δὲ τοῖς σώ[μα]σιν ἦσαν οἱ δανεισμοί, 5
 καθάπερ εἴρηται, καὶ ἡ χώρα δι' ὀλίγων ἦν.

δ. τοιαύτης δὲ τῆς τάξεως οὕσης ἐν τῇ πολιτείᾳ καὶ τῶν

19 <δ> ζευγίτης H-W, H-L; sed exspectares ὁ δὲ ζ. 22 ΑΡΕΟΠΑΓΕΙΤ.
 22-4 ἐπὶ—ἦν spuria putant Richards et Keil. δεδεμένοι quondam dubitanter
 K (K-W); δεδανεισμένοι Richards, H-L; οἱ δανεισμοὶ Blass (K² p. LXIV).

regarded as characteristic results of Solon's legislation; but some sort of property classification, even before the time of Dracon, is implied in c. 3 § 1, where magistrates are described as chosen πλουτιῶν.

We here reach the end of that part of the chapter which is open to most dispute. Its possible origin is thus indicated by Mr Headlam:

'The constitution described betrays the thought of a particular party; the reformers of this school used to advocate their policy by maintaining that it really would restore Athens to the condition in which it was before the democratic changes began. Many as we know looked on Solon as the originator of the changes which they deplored (Ar. Polit. ii 12). They would then recommend a constitution of this kind by saying it was like that which prevailed in Athens before the time of Solon. This has misled some transcriber or editor. After the words τοὺς θεσμοὺς ἐθήκεν, influenced by the expression at the beginning of chap. iii he desiderated some account of the constitution in the time of Draco and inserted this passage out of some other book' (Class. Rev. v 168 b).

§ 4. φύλαξ τῶν νόμων] Plut. Sol. 19, τὴν δ' αὖτε βουλήν ἐπίσκοπον πάντων καὶ φύλακα τῶν νόμων ἐκάλεσεν, inf. § 4. τῶν νόμων] esp. the θεσμοὶ of Draco mentioned in l. 3 immediately before the disputed passage.

εἰσαγγέλλειν] 'to impeach,' or 'lay an information,' or 'denunciation.' The first known instance of the verb belongs to an inscr. soon after 446 B.C. (Bull. de Correspond. hellén. 1880, p. 225). The use of the term here does not correspond precisely with any of the technical senses which it afterwards bears in a more highly developed stage of Attic law. An εἰσαγγελία could be brought before the Archon or the Polemarch in certain cases,

or before the *Boule* or the *Ecclēsia*, but not before the Council of the Areopagus. See Dr Hager in Smith, *Dict. Ant. s. v.*

§ 5. ἐπὶ δὲ κτλ.] c. 2 § 2. In spite of the advantage of being able to appeal to the Areopagus against acts of injustice, the people had the standing grievance of having their persons mortgaged to their creditors &c. The statement follows naturally from the previous sentence and leads up to the account of the rebellion of the poor against the rich in the next. It is therefore unnecessary to accept the view of a writer in the *Edinburgh Review*, 1891, 479: "the statement is quite superfluous; the conjunction does not link it with the preceding sentence, which is concerned with a wholly different subject, and the form, 'as has been said,' shows clearly that it is a marginal comment made by some one who wished to impress the fact on his memory." So far from wishing to strike out this passage, we should be grateful for its preservation, as it has made it possible to restore the sense in the previous mention of the same facts in chap. 2. It has already been shewn that it is quite in harmony with the context.

V—XII. The legislation of Solon.

V § 1. τάξις] If in the previous chapter, the description of the τάξις is an interpolation, and the mention of the θεσμοὶ in relation to the Areopagus and the economic condition of the poorer classes is alone to be regarded as genuine, the use of τάξις here becomes open to suspicion, unless we are content to regard the powers of the Areopagus and the right of bringing grievances before them as sufficient to constitute a τάξις, or constitutional order of things.

ἐν τῇ πολιτείᾳ] almost equivalent to τῇ πολιτείᾳ, the gen. being avoided because of the gen. preceding. Cf. *De Gen. Anim.* 1, 1, 715 a 1, ἐρεῖ δὲ περὶ τῶν ἄλλων μορίων εἴρηται τῶν ἐν τοῖς ζῴοις.

[π]ολλῶν δουλευόντων τοῖς ὀλίγοις, ἀντέστη τοῖς γνωρίμοις ὁ δῆμος. ἰσχυρὰς δὲ τῆς στάσεως οὔσης καὶ πολ[ὺν] χρόνον ἀντικαθμένων ἀλλήλοις, εἴλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα Σόλωνα, καὶ τ[ὴν πολι]τεῖ[α]ν ἐπέτρεψαν αὐτῷ ποιήσαντι τὴν 5 ἐλεγείαν ἧς ἐστὶν ἀρχή

γινώ[σ]κω], καὶ μοι φρενὸς ἔνδοθεν ἄλγεα κεῖται,

πρεσβυτάτην ἐσορῶν γαίαν Ἰαονίας.

καὶ γὰρ ἔτεπelaύνει καὶ πρὸς ἑκατέρους ὑπὲρ ἑκατέρων μάχεται

¶ 2 ἀν ἐπανόστη? Wyse.

usque ad annum 325 A.C. in titulis Atticis scriptum fuisse constat (Meisterhans, p. 142): ἀν οἰμῶν? H-L.

¶ ΓΙΝΩ[Σ]ΚΩ] K, K-W, H-L: γινώσκω certe

8 Ἰαονίην Richards (Class. Rev. v 334 a).

9 ΕΠΕΛΑΥΝΕΝ legit K (ἐπῆλαιεν K¹ sed tempus praesens flagitat contextus). ἐπαλλάττει J B Mayor, Richards, cf. Pol. 1255 a 13, 1257 b 35, 1295 a 9. ἐπιelaύνει quondam tentabam, sed desideratur accusativus velut τοὺς τραχυνομένους; ἐτελαύνει K², sed sensus in obscuro. [συμβουλευὼν πολλὰ] πρὸς H-L. πολ[ι]τικῶ-

§ 2. ἀντικαθμένων] a metaphor implying two forces watching one another. The literal sense is found in Thuc. v 6 § 3, and similarly with ἀντικαθίστασθαι ib. iv 124 § 2.

διαλλακτὴν καὶ ἄρχοντα] Plut. Sol. 14, ὁμοῦ καὶ διαλλακτῆς καὶ νομοθέτης, Praes. Ger. Reip. 10 § 16 p. 805, οὐδενὶ γὰρ ἐμῆς ἐαυτὸν ἀλλὰ κοινὸς ὢν πᾶσι καὶ πάντα λέγων καὶ πράττων πρὸς ὁμόνοιαν, ἡρέθη νομοθέτης ἐπὶ τὰς διαλύσεις, ib. p. 825 D ἡμερον διαλλακτὴν, and esp. Amaiortius 18 § 14, 763 D, τοῦτον εἰλοντο κοινῇ διαλλακτὴν καὶ ἄρχοντα καὶ νομοθέτην. The last passage supports the opinion that Plutarch had a first-hand acquaintance with this treatise.

The archonship of Solon is assigned to B.C. 594 (Clinton F. H., ii p. 298 = 363; Busolt, i 524, note 2). Cf. note on 13 § 1. τὴν ἐλεγείαν] here, and in l. 3 from end of chapter, 'the elegiac poem.' The fem. form is found in Theophrastus, Hist. Plant. ix 15, 1, and also in late authors (e.g. Plut. Sol. 26, Cimon 10). Aristotle uses τὰ ἐλεγεία in Poet. 1, διὰ τριμέτρων ἢ ἐλεγείων, Rhet. i 15, ἐλεγεία Σόλωνος, iii 2, ἐλεγεία Διονυσίου (cf. Class. Rev. v 334 a).

The lines quoted have been hitherto unknown. They may fairly be accepted as the opening couplet of the poem cited in Dem. de Falsa Leg., p. 421, § 255, sometimes called Ἵποθῆκαι εἰς Ἀθηναίους. The passage as there quoted begins with the words:

ἡμετέρα δὲ πόλις κατὰ μὲν Διὸς οὐκ ἔστιν ἀλσος καὶ μακάρων θῶν φρίνας ἀθανάτων.

Voemel saw no difficulty in regarding the passage quoted by Dem. as the actual beginning of the poem: "Particula δὲ non

obstat initio... Similia initia Tyrtaei, Mimnermi, Callini. Imo optime convenit commoto atque elato Solonis animo relictā sententiā 'Aliae quidem urbes interierunt et interibunt,' sic incipere: 'sed Athenae sunt perpetuae.'" But, if the couplet quoted in the text comes from the same poem at all, we now have the true beginning of that composition. The poet begins in a strain of sorrow and dejection due to the sad condition of his country, mingled with fear of the consequences of the avarice and pride of the wealthy (infra, τὴν τε φιλαργυρίαν τὴν θ' ὑπερφηανίαν). Afterwards (in the passage preserved by Dem.) he changes his tone to one of exultant trust in the overruling power of the patron-goddess of Athens. He then dwells on the injustice, the insolence, and the greed of the δῆμον ἡγεμόνες; and insists on the evils caused by bad legislation and the blessings brought about by good. Thus far we have only an attack against one of the two parties in the state. The other topics may have found a place in the lost portions of the poem.

Ἰαονίας] Ἰαονίην is proposed by Mr H. Richards on the ground that Solon is not likely to have used *Ionia* for 'all lands where Ionians dwell.' The Ionic form may have been wrongly written Ἰαονίαν, and then altered into Ἰαονίας in consequence of the superlative. Considering, however, that it was a fixed belief of the Athenians that Ion had been their own πολέμαρχος, and was the father of the four progenitors of the Ionian tribes, Attica may well be called the oldest land in all the Ionian world.

ἐτελαύνει] apparently intransitive; used elsewhere of military movements

- 10 καὶ διαμφισβητεῖ, καὶ μετὰ ταῦτα κοιῇ παραινεί [κατα]παύειν
τὴν ἐνεστῶσαν φιλονικίαν. ἦν δ' ὁ Σόλων τῇ μὲν [φύ]σει καὶ τῇ 3
δόξῃ τῶν πρώτων, τῇ δ' οὐσίᾳ καὶ τοῖς πράγμασι τῶν μέσων, ὥς ἔκ
τε τῶν ἄλλων ὁμολογεῖται καὶ αὐτὸς ἐν τοῖσδε τοῖς ποιήμασιν
μαρτυρεῖ, παραινῶν τοῖς πλουσίοις μὴ πλεονεκτεῖν·
15 ὑμεῖς δ' ἡσυχάσαντες ἐνὶ φρεσὶ καρτερόν ἦτορ,
οἷ πολλῶν ἀγαθῶν ἐς κόρον [ἦλ]άσατε,
ἐν μετρίοισι τ[ρέφεσθ]ε μέγαν νόον· οὔτε γὰρ ἡμεῖς
πεισόμεθ', οὔθ' ὑμῖν ἄρτια πά[ντ'] ἔσεται.
καὶ ὅλως αἰετὴν αἰτίαν τῆς στάσεως ἀνάπτει τοῖς πλουσίοις· διὸ
20 καὶ ἐν ἀρχῇ τῆς ἐλεγείας δεδοικέναι φησὶ

τατα] ? K-W, qui legi posse existimant καίγαρπολι...εταίκαίπρος; quae si revera olim exstabant, licet conicere καὶ γὰρ πολί[τεύ]εται καὶ πρὸς, quod confirmat aliquatenus Aristides ii 361 Dind. in commentario excerptus, qui in loco nostro suos in usus convertendo verbum ἐπολιτεύετο bis usurpavit. 11 ΦΙΛΟΤΙΜΙΑΝ superscr. ΝΙΚΙ. φόσει Richards, Wyse (edd.): ῥήσει olim K. 16 ἀάσατε K' sensu intransitivo usurpatum: correxuit Postgate coll. Tyrtaei loco infra allato; idem conicit Naber (edd.). 17 τ[ί]θεσθε] Platt (H-L); μετρίοις τέρεσθε Kontos. 18 ἀρτια: ἀρθμα Tyrrell, coll. Theogn. 1312 ἀρθμος ἦδὲ φίλος, adde Hdt. vi 83 τίως μὲν δὴ σφί ἦν ἀρθμα εἰς ἀλλήλους: ἀρτια Kontos (H-L). πά[ντ'] K-W quod locis infra laudatis confirmatur; πᾶλλ' K' qui τὰ potius quam πᾶ in papyro legit; ταυτ' H-L (K⁸, B); πόλλ' quondam Blass. 19 αἰεῖ (K, K-W, B): αἰεῖ (H-L). Formam utramque usurpant decreta

such as 'charging' (Hdt. ix 49), or 'marching against' (i 17); here perhaps of 'attacking.' This sense would lead up to the next verb μάχεται. Another suggestion, ἐπαλλάττει, as observed by one of its proposers, 'seems suitable to describe the attitude of a man who sees and takes both sides of a question at once, who is at home in both camps' (H. Richards in *Class. Rev.* v 107 a). But we should expect δυσχεραίνει or ἀντιτείνει.

πρὸς ἑκατέρους ὑπὲρ ἑκατέρων] The purport of this part of the poem must have been the same as that of the λόγοι of Solon described in Aristides, ii 361, who probably had this passage in view: καίτοι Σόλων τὰ μὲν εἰς Μεγαρέας ἔχοντα ἄσαι λέγεται, τοὺς δὲ νόμοι οὐκ ἦδε περι-ῶν οὐδὲ τοὺς λόγους τοὺς ὑπὲρ τῶν εὐπό-ρων πρὸς τὸν δῆμον, οὐδὲ τοὺς ὑπὲρ τῶν πολλῶν πρὸς τοὺς πλουσίους οὐκ ἦδεν, οὐδ' ὅσα ἄλλα ἐπολιτεύετο, οὐκ ἔδωκεν οὐδ' ἐν μέτροις ἐπολιτεύετο, ἀλλὰ τῷ τῆς ῥητορικῆς τύπῳ καθαρῶς χρώμενος.

§ 3. τῇ μὲν φύσει κτλ.] Plut. *Sol.* 1, ἀνδρὸς οὐσίᾳ μὲν, ὥς φασι, καὶ δυνάμει μέσου τῶν πολιτῶν, οἰκίας δὲ πρώτης κατὰ γένος. τῶν μέσων κτλ.] *Ag. Pol.* vi (iv) 11, 1296 a 19, σημείων δὲ δεῖ νομίζειν καὶ μὲ τοὺς βελτίστους νομοθέτας εἶναι τῶν μέσων πολιτῶν· Σόλων τε γὰρ ἦν τούτων

(δηλοῖ δ' ἐκ τῆς ποιήσεως). This statement is proved by the verses here quoted. τῶν μέσων must not be confounded with our 'middle classes.' It refers rather to the moderately wealthy citizens (see Newman's *Politics* of Ar., i p. 500). Cf. *Pol.* 1295 b, 1296 a 7, 13, 1289 b 29 f.

ἡσυχάσαντες] The vb is transitive in this tense alone. Plat. *Rep.* 571 A, ἡσυχά-σας μὲν τὸ δύο εἶδη, τὸ τρίτον δὲ κινήσας. These four lines have been hitherto unknown.

οἷ—ἐς κόρον ἦλάσατε] 'ye that plunged into surfeit of many good things.' Tyrtaeus 11 (7), 10, ἀμφοτέρων δ' εἰς κόρον ἦλάσατε, Hdt. ii 124, ἐς τοσούτων ἦλασαν (τὸ πρᾶγμα), 'they drove it thus far'; v 50, ἐς πᾶσαν κακότητα ἐλάσας.

οὔτε γὰρ ἡμεῖς—ἔσεται] neither shall we (who are oppressed) continue to obey you, nor will you (who are wealthy) find all things perfect.

ἀρτια πάντ'] Solon 4 (13) 35, εὐνομία δ' εὐκοσμία καὶ ἀρτια πάντ' ἀποφαίνει, and ib. 40, ἐστὶ δ' ὑπ' αὐτῇ πάντα κατ' ἀνθρώπου ἀρτια καὶ πινυτά. Theognis 946, εἰμι παρὰ στάθμῃν ὀρθὴν ὀδὸν, οὐδετέ-ρως | κλυόμενος· χρὴ γάρ μ' ἀρτια πάντα νοεῖν.

τῇ αἰτίαν...ἀνάπτει] 'ascribes the origin' (K). Rare in Aristotle; *Met.* 12, 4,

τὴν τε φ[ιλαργυρ]ίαν τὴν θ' ὑπερφηανίαν,

21

ὥς διὰ ταῦτα τῆς ἐχθρας ἐνεστῶ[σ]ης.

6. κύριος δὲ γενόμενος τῶν πραγμ[άτ]ων Σόλων τὸν τε δῆμον ἠλευθέρωσε καὶ ἐν τῷ παρόντι καὶ εἰς τὸ μέλλον, κωλύσας δ[ανεί]-
ζειν ἐπὶ τοῖς σώμασιν, καὶ νόμους ἔθηκε καὶ χρεῶν ἀ[πο]κοπὰς
ἐπ[ο]ίησε καὶ τῶν ἰδίων καὶ τῶν δημοσίων, ἃς σεισάχθειαν καλοῦ-
σιν, ὥς ἀποσεισαμένων τὸ βάρος. ἐν οἷς πειρῶνται τι[νες] δια- 5
2 βάλλειν αὐτόν· συνέβη γὰρ τῷ Σόλωνι μέλλοντι ποιεῖν τὴν

publica usque ad annum 361 A.C., ex quo anno *ἀεὶ* tantum inventum est, quamquam *θιασωτῶν* in titulis diu duravit *ἀεὶ* (Meisterhans, p. 25²); itaque *ἀεὶ* ubique scripsi; quod autem inter Aristotelis editores nonnulli modo hanc, modo illam formam malunt, velut in *Pol.* 1276 a 36, 38 ubi inter trium versuum spatium *καίπερ ἀεὶ* et *καίπερ ἀεὶ* legitur, vix credibile est scriptorem eundem formam utramque usurpasse. 21 τὴν τε φ[ιλαργυρ]ίαν K, K-W, H-L; τὴν φ[ιλοχρηματ]ίαν Kontos, Bernardakis: τὴν τε δ[ιχρηματ]ίαν B. τὴν τε ὑπερ. (K, K-W); τὴν θ' ὑπερ. J B Mayor, Jackson, H-L; et metrum et te iteratum poetae versum produunt.

VI 1 <δ> Σόλων K-W. 3 καὶ νόμους ἔθηκε secl. K-W, Reinach.

4 ἀσεισαχθία: *ἀς σεισάχθειαν* K etc. καλοῦσιν: 'fort. ἐκάλουν scribendum' (K-W).

5 ἀποσεισαμένοι: ἀποσεισάμενοι K, H-L; ἀποσεισαμένων J B Mayor, K-W, B. ΒΑΡΟΣ K etc.: [δχθ]ος H-L.

TESTIMONIA. VI 3 Heraclidis epitoma: νομοθετῶν Ἀθηναῖοις καὶ χρεῶν ἀποκοπὰς ἐποίησε, τὴν σεισάχθειαν λεγομένην (Rose, Frag. 611, 3⁹). Hesych. *σεισάχθεια*: Σόλων χρεῶν ἀποκοπὴν δημοσίων καὶ ἰδιωτικῶν ἐνομοθέτησεν, ἥνπερ σεισάχθειαν ἐκάλεσε παρὰ τὸ ἀποσεισασθαι τὸ βάρος τῶν δανείων. Photius (= Suidas) *σεισάχθεια*, = Apostolius 17, 52.

3, ὡς τοὺς λόγους εἰς ἀριθμοὺς ἀνῆπτον, 'to ascribe or refer to.' Common in Plutarch, e.g. *Lycurg.* 6, τὴν ἀρχὴν καὶ τὴν αἰτίαν τῆς πολιτείας εἰς τὸν Πύθιον ἀνῆψε, 13 § 3, τὸ δὲ δλον καὶ πάσης νομοθεσίας ἔργον εἰς τὴν παιδείαν ἀνῆψε, *Numa* 12 § 1, εἰς μᾶς δύναμιν θεοῦ τὰ περὶ τὰς γενέσεις καὶ τὰς τελευτὰς ἀνάπτοντες. Cf. ἀναφέρεω. Mr Poste and Mr H. Richards (*Class. Rev.* v 466 a) understand it 'imputes the blame.' This might be defended by Od. ii 86 μῶμον ἀνάψαι (Schol. *περιποιήσαι, περιθεῖναι*), where Ameis prefers ἐκ μῶμον ἀνάψαι. But in Attic Gk we should expect *περάπτει* in this sense (*Dem. Lept.* 10). τῆς ἡλεγάας, § 2.

δεδοικέναι κτλ.] Plut. *Sol.* 14, δεδοικώς τῶν μὲν τὴν φιλοχρηματίαν τῶν δὲ τὴν ὑπερφηανίαν. The double τε is far more common in verse than in prose (Kühner, § 520).

VI § 1. κωλύσας δανείων κτλ.] Plut. *Sol.* 15, Σόλωνος...τὴν τῶν χρεῶν ἀποκοπὴν σεισάχθειαν ὀνομάσαντος. τοῦτο γὰρ ἐποίησας πρῶτον πόλτεμα, γράψας τὰ μὲν ὑπάρχοντα τῶν χρεῶν ἀνείσθαι, πρὸς δὲ τὸ λοιπὸν ἐπὶ τοῖς σώμασι μηδένα

δανείζειν. Diog. Laert. i 45. The phrase *χρεῶν ἀποκοπὰ* is found in *Dem.* 17 § 15, 24 § 149, *Andoc. de Myst.* 88, *Plut.* ii 226 B, *Cic. ad Att.* vii 11 § 1, *χ. ἀποκοπὴ* in Plato, *Legg.* 736 c.

σεισάχθειαν] (1) Most of our ancient authorities understood this to imply a complete remission of debts; this is the view of the text, and of Philochorus, frag. 57, and it is accepted by Schömann, *Ant.* p. 328 E. T.; Gilbert i 130; Landwehr, *Philol. Suppl. Bd v* (1884) 131 ff.; and Busolt, i 525. (2) Others, including Androtion (see note on 10 § 1), held that Solon relieved the debtors, partly by a diminution in the rate of interest, partly by the introduction of a new money-standard; this is accepted by Boeckh; Hermann, *Staatsalt.* § 106; E. Curtius; and (in the main) by Duncker, *Gesch. d. Att.* vi ed. 5, 158. (3) Grote (c. 11, ii 304) assumes a total remission of debts, but limits it to the case of debts secured on the debtor's person or his land.

§ 2. συνέβη—ἐπιλοῦσιν] Plut. *Sol.* 15, πρῶτα δ' αὐτῷ συνεπεσεῖν λέγεται πάντων ἀναρρότων ἀπὸ τῆς πράξεως ἐκεί-

σεισάχ[θ]ειαν προειπεῖν τισὶ τῶν [γνω]ρίμω[ν], ἔπειθ', ὥς μὲν οἱ δημοτικοὶ λέγουσι, παραστρατηγηθῆναι διὰ τῶν φίλων, ὥς δ' οἱ [βουλ]όμενοι βλασφημεῖν, καὶ αὐτὸν κοινωνεῖν. δανεισάμενοι γὰρ 10 οὗτοι συνεπρίαντο πολλήν χώραν, [μετὰ δ'] οὐ πολὺ τῆς τῶν χρεῶν ἀποκοπῆς γενομένης ἐπλούτου· ὅθεν φασὶ γενέσθαι τοὺς ὕστερον δο[κο]ύντας εἶναι παλαιοπλούτους. οὐ μὴν ἀλλὰ πιθ[ανώ]- 3 τερὸς [ὁ] τῶν δημοτικῶ[ν] λόγος· οὐ γὰρ [εἰκ]ὸς ἐν μὲν τοῖς ἄλλοις οὕτω μέτριον γενέσθαι καὶ κοινὸν [ὥσ]τ', ἐξὸν αὐτῷ [τ]οὺς [ἐτ]έ[ρο]υς 15 ὑποποιησάμενον τυραννεῖν τῆς πόλεως, ἀμφοτέροις ἀπεχ[θ]έσθαι καὶ περὶ πλείονος [ποι]ήσασθαι τ[ὸ] καλὸν καὶ τὴν τῆς πόλεως σωτηρίαν ἢ τὴν αὐτοῦ πλεονεξίαν, ἐν [οὗτ]ῳ δὲ μικροῖς [καί] ἀν[αξί]οις καταρρυπαίν[ει]ν ἑαυτόν. ὅτι δὲ ταύτην ἔσχε τὴν 4 ἐξουσίαν, τὰ τε πράγματα νοσοῦντα μα[ρτυ]ρεῖ [τοῦ]το, καὶ ἐν τοῖς

8 Δ', διὰ K etc.: ὑπὸ K-W.

οὐ πολὺ): εἰτα μετ' H-L.

H-L, K².

10 μετὰ δ' K etc. (cf. *Magn. Mor.* 1211 ὁ Ι, μετ' ἑπόμενης Rutherford, K-W,

11 ΓΙΝΟΜΕΝΗΣ (K¹): γενομένης Rutherford, K-W, ὅστω Richards, Jackson, Blass (edd.): ἅμα τ' olim K. [ρόμ]ου K,

12 ὥστω Richards, Jackson, Blass (edd.): ἅμα τ' olim K. [ρόμ]ου K,

13 ἐπὶ

K-W: [ἐτ]έ[ρο]υς Blass (H-L) coll. c. 11, 13.

14 M....PO...TO litteris obscure scriptis. μαρτυρεῖ legunt Wessely et Blass, quod mihi quoque in mentem venerat. τοῦτο mecum coniecerunt K-W², & ἴδωτο Wessely, quod vel propter hiatum vix tolerari potest. μετεχειρίσατο quod olim protuli (coll. Plat. *Rep.* 408 c ἰατροὶ νοσώδεis μετεχειρίσατο, et 346 E τὰ ἄλλοτριά κατὰ μεταχειρίζεσθαι ἀνορθοῦντα) acceperunt H-L, sed repugnat papyrus. μαρτύρ[ι]ο[ς] μ[ε]γα Blass, sed τοῦ potius quam γα in papyro apparet.

νῆς. ὡς γὰρ ὤρμησεν ἀνείναι τὰ χρέα καὶ λόγους ἀρμόττοντας εἴηται καὶ πρέπουσαν ἀρχήν, ἐκινώσατο τῶν φίλων οἷς μάλιστα πιστεύων καὶ χρώμενος ἐτύγχανε, τοῖς περὶ Κόνωνα καὶ Κλεωνα καὶ Ἰππόνικον, ὅτι γῆν μὲν οὐ μέλλει κινεῖν, χρεῶν δὲ ποιεῖν ἀποκοπὰς ἐγνώκεν. οἱ δὲ προλαβόντες εὐθὺς καὶ φθάσαντες ἔδανέυσαντο συχρὺν ἀργύριον παρὰ τῶν πλουσίων καὶ μεγάλας συνεωρήσαντο χώρας. εἰτα τοῦ δόγματος ἐξενεχθέντοι τὰ μὲν κτήματα καρποῦμενοι, τὰ δὲ χρήματα τοῖς δανείσασιν οὐκ ἀποδιδόντες εἰς αἰτίαν τὸν Σόλωνα μεγάλην καὶ διαβολήν, ὥσπερ οὐ συναδικούμενον, ἀλλὰ συναδικοῦντα, κατέστησαν. ἀλλὰ τοῦτο μὲν εὐθὺς ἐλύθη τὸ ἐγκλημα τοῖς πέντε ταλάντοις· τσαυτὰ γὰρ εὐρέθη δανείσων, καὶ ταῦτα πρῶτος ἀφῆκε κατὰ τὸν νόμον. ἐπει δὲ πεντεκαίδεκα λέγουσιν, ὥς καὶ Πολύβιος ὁ Ῥώδιος ἐστὶ. τοὺς μὲντοι φίλους αὐτοῦ χρεωκοπίδας καλοῦντες διετέλεσαν (the story of the five talents comes from some other source than the text). *Præcept. Ger. Reip.* 13 § 10 p. 807, τοῦτο γὰρ καὶ Σόλωνα κατήσχυε καὶ διέβαλε πρὸς τοὺς πολίτας· ἐπεὶ γὰρ ἐν νῷ λαβὼν τὰ ὀφλήματα κουφίσαι, καὶ τὴν σεισάχθειαν (τοῦτο δ' ἦν ὑποκόμισμα χρεῶν ἀποκοπῆς) εἰσενεγκεῖν, ἐκινώσατο τοῖς φίλοις· οἱ δ'

ἐργον ἀδικώτατον ἐπραξαν· ἔδανέυσαντο γὰρ ὑποφθάσαντες ἀργύριον πολὺ, καὶ μετ' ὀλίγον χρόνον εἰς φῶς τοῦ νόμου προεχθέντος, οἱ μὲν ἐφάνησαν οἰκίας τε λαμπράς καὶ γῆν συνεωρημένον πολλήν ἐξ ὧν ἔδανέυσαντο χρημάτων· ὁ δὲ Σόλων αἰτίαν ἔσχε συναδικεῖν ἡδικημένους.

παλαιοπλούτους] Lys. 19 § 49.

§ 3. καταρρυπαίνειν] To the passages from Isocr. and Plato, quoted in L and S, may be added Plut. *de Cohibenda Ira* 6, ii p. 456, καταρρυπαίνει καὶ πλεμπήσιν ἀδοξίας, *de Profectibus in Viri.* 17, ii p. 85 F, οὐ δ' ὅπως οὐκ ἀξίων ρυπαίνεσθαι. The word is not found in Ar.

§ 4. ταύτην τὴν ἐξουσίαν] sc. τοῦ τυραννεῖν. Plut. *Sol.* 14 and Solon fragm. 33, οὐκ ἐφν Σόλωνα βαθύφρων κτλ., there quoted: also fragm. 31.

τὰ τε πράγματα νοσοῦντα κτλ.] Prof. Tyrrell (*Class. Rev.* v 177) defends μετεκρούσατο (K¹) as follows: "The idea of a balance underlies the word, as in παρακρούεσθαι, and 'he shifted the balance of affairs' would be a not unnatural way of saying 'he changed the face of politics.' But, even if μετεκρούσατο were defensible in itself, one could hardly justify such a mixture of metaphors as 'adjusting the

ποιήμασιν αὐτὸς πολλαχοῦ μέμνηται, καὶ οἱ ἄλλοι συνομολογοῦσι το πάν[τες]. ταύτην μὲν οὖν χρή νομίζειν ψευδῇ τὴν αἰτίαν εἶναι.

7. πολιτείαν δὲ κατέστησε καὶ νόμους ἔθηκεν ἄλλους, τοῖς δὲ Δράκοντος θεσμοῖς ἐπαύσαντο χρώμενοι πλὴν τῶν φονικῶν. ἀναγράφαντες δὲ τοὺς νόμους εἰς τοὺς κύρβεις ἔστησαν ἐν τῇ στοᾷ τῇ 3

TESTIMONIA. VII 3 *Harp. κύρβεις: "ἀναγράφαντες—ἐν τῇ στοᾷ τῇ βασιλείᾳ (βασιλίδι cod. D et Photius)." *Plut. Sol. 25 (οἱ ἐξόλινοι ἄξονες) προσηγορεύθησαν, ὡς Ἀριστοτέλης φησὶ, κύρβεις. *Schol. Arist. Av. 1354 (= Lexicon Dem. Patmiasum, p. 150 Sakkelion) κύρβεις...κατὰ δὲ ἐνόμιον ἄξονες τρίγωνοι (κατασκευασμάτα τινα ἐξόλινα τρίγωνα Lex. Patm.) ἐν οἷς ἴσαν οἱ τῶν πόλεων νόμοι γεγραμμένοι...καθ' ἑκάστην καὶ Ἀρ. ἐν τῇ Ἀθ. πολ. φησὶ καὶ Ἀπολλόδωρος (Rose, Frag. 352^a, 390^a).

balance of the maladies of the state.' My former suggestion νοσοῦντα μετεχειρίσαστο is defended in point of expression by the passages of Plato quoted in the critical notes. It is also incidentally confirmed in point of sense by a passage in Grote's *History of Greece* (ii 327), where he speaks of the 'discontents of the miserable Athenian population' experiencing Solon's 'disinterested and healing management.' The *τε* in this case would mean 'and accordingly' (being armed with this authority), as often in Herodotus and Thucydides, and not seldom in Xenophon (Kühner, § 519, 3). The usage of Ar. does not differ in this from that of other writers (Eucken, *De Ar. dicendi ratione*, i p. 13).

The suggestion that the sense required is '*docet et res publica aegrotans ei*' (K-w¹) admits of being carried out by proposing τὰ τε πράγματα νοσοῦντα μαρτυρεῖ τοῦτο. The sequence μαρτυρεῖ...μέμνηται...συνομολογοῦσι would in this case find its parallel in c. 5 § 3, ἐκ τε τῶν ἄλλων ὁμολογεῖται καὶ αὐτὸς ἐν τοῖσδε τοῖς ποιήμασιν μαρτυρεῖ, and 12 § 1. Cf. Pol. 1334 a 5 οἱ δὲ δεῖ...μαρτυρεῖ τὰ γινόμενα τοῖς λόγοις, *Metaphysica* 282 b 22 ὁ λόγος μαρτυρεῖ, *De Anima* 410 a 29, ὡς —, μαρτυρεῖ τὸ νῦν λεχθέν, *Eth.* ii 1, 1103 b 2 μαρτυρεῖ δὲ καὶ τὸ γινόμενον ἐν ταῖς πόλεσιν, &c. Since this note was written μαρτυρεῖ has been conjectured in K-w², and this is the reading which I now prefer. νοσοῦντα] c. 13 § 3, στασιάζοντες followed by νοσοῦντες metaphorically used in the same sense. Plat. *Rep.* 470 c, νοσεῖν...καὶ στασιάζειν, and 556 b, νοσεῖ τε καὶ αὐτὴ αὐτῇ μάχεται (ἢ πόλις).

μέμνηται] 'makes mention of,' usually c. gen.; here *δοι* is due partly to the influence of συνομολογοῦσι, and still more to μαρτυρεῖ, if that be accepted. Cf. 12 § 1, δοι—συμφωνοῦσι—μέμνηται.

VII § 1. Δράκοντος θεσμοῖς] c. 4 § 1.

πλὴν τῶν φονικῶν] Plut. Sol. 17 *ἰνίσι*. πρῶτον μὲν οὖν τοὺς Δράκοντος νόμους ἀνέλεε πλὴν τῶν φονικῶν ἅπαντας διὰ τὴν χαλεπότητα καὶ τὸ μέγεθος τῶν ἐπιτιμιῶν. Cf. Dem. 23 § 66, Aelian *V. H.* viii 10, Josephus *Ἀριον.* i 4, τῶν δημοσίων γραμμάτων ἀρχαιοτάτους τοὺς ὑπὸ Δράκοντος αὐτοῖς περὶ τῶν φονικῶν γραφέντας νόμους. On the revision of the laws of Athens, after the restoration of the democracy in the summer of 411 B.C., the laws of Dracon respecting homicide were once more retained. An inscr. of 409 B.C. records a decree authorizing the γραμματεῖς of the βουλὴ to give the ἀναγραφῆς, or recorders of the laws, a true copy of Dracon's law. Δράκοντος νόμος τὸν περὶ τοῦ [φόνου] [d] [α] [γραφῆς] [τ] [ῆ] [ν] οἱ [δ] [α] [γραφῆς] [φ] [ῆ] τῶν νόμων—εἰ στήλῃ λιθίνῃ [καὶ] [κα] [α] [τ] [α] [θέρ] [τ] [ῆ] [ν] πρόσθεν τ] [ῆ] [ς] στοᾷς τῆς βασιλείας. (Cf. Andoc. i 84, 85)... Then follows a copy of the πρῶτος ἔξων of Solon, containing Dracon's law on involuntary homicide (CIA i 61; Dittenberger, p. 87; Hicks, *Greek Hist. Inscr.* p. 112).

κύρβεις] Rectangular wooden tablets painted white and arranged in sets of four, each set forming a 'pillar' about the height of a man. This pillar revolved on an upright axis; hence the κύρβεις were called ἄξονες, the axes *ligneae* of Gellius ii 12. The κύρβεις are mentioned in a fragment of Cratinus, quoted by Plutarch Sol. 25. An inscr. of 409 B.C. cites the πρῶτος ἔξων (see note on πλὴν τῶν φονικῶν). Lysias, Or. 30, c. *Nicomachum* (B.C. 399), § 17 τὰς θυσίας τὰς ἐκ τῶν κύρβεων. In Dem. *Aristocr.* p. 629 § 28, the law of homicide is found ἐν τῷ α' (i.e. πρῶτῳ) ἔξωνι (as emended by Cobet).

Aristotle is said to have written a treatise in five books περὶ τῶν Σόλωνος ἄξωνων (see list of his works, ascribed to Hesychius, in Rose, *Fragm. Ar.* p. 16, l. 140). Eratosthenes supposed that the several tablets were triangular in shape. This

4 βασιλείῳ καὶ ὤμοσαν χρῆσθαι πάντες· οἱ δ' ἐννέα ἄρχοντες

mistake was corrected by Polemon of Ilium, who, on the strength of his own observation, insists on the quadrangular shape of the tablets (Harpocr. s. v. ἄξονι: οἱ Σόλωνος νόμοι ἐν ξυλίνοις ἦσαν ἄξοσι γεγραμμένοι... ἦσαν δέ, ὡς φησι Πόλεμων ἐν τοῖς πρὸς Ἑρατοσθένη, τετραγῶνοι τὸ σχῆμα, διασφύζονται δὲ ἐν τῷ Πρυτανεῳ, γεγραμμένοι κατὰ πάντα τὰ μέρη· ποιοῦσι δ' ἐπὶ φαντασίαν τρίγωνον, ὅταν ἐπὶ τὸ στενὸν κλιθῶσι τῆς γωνίας. Polemo fragm. 48, Müller, FHG iii 130). A pupil of Eratosthenes, the famous critic Aristophanes of Byzantium, gives a clear account of their shape: Etymologicum Magn. p. 547, ἀμφοτέρων δὲ (sc. τῶν κύρβειων καὶ τῶν ἄξωνων) τὸ κατασκευάσμα τοιοῦτον· πλυνθίον τι μέγα ἀνδρόμηκες, ἡρμοσμένα ἔχον ἔξλα τετράγωνα, τὰς πλευρὰς πλατείας ἔχοντα καὶ γραμμάτων πλήρεις, ἑκατέρωθεν δὲ κνώδας ('pivots'), ὥστε κινεῖσθαι καὶ περιστρέφεσθαι ὑπὸ τῶν ἀναγιγνωσκομένων. The 'grammarians' Didymus (Plut. Sol. 1) and Seleucus (Suidas, s. v. ὀργεῶνες) wrote monographs on the ἄξονες. Plutarch, in his life of Solon, refers to the first, the thirteenth and the sixteenth ἄξων (c. 24, 19, 23), and states that some small fragments of the ἄξονες were still to be seen in his own day in the Prytaneum (c. 25).

Some of the Greek lexicographers erroneously distinguished between the κύρβεις and ἄξονες in respect to shape, material and contents (cf. Schol. on Apollonius Rhodius iv 280). The distinction assumes the following form in Tzetzes, *Chiliades*, xii 349:

οἱ ἄξονες τετράγωνοι, τρίγωνοι δὲ αἱ κύρβεις, εἶχον δὲ οἱ μὲν ἄξονες νόμους τοὺς ἰδίους, αἱ κύρβεις εἶχον νόμους δὲ τοὺς περὶ δημοσίων. καὶ ἐτι οἱ μὲν ἄξονες ὑπῆρχον ἀπὸ ξύλων, αἱ κύρβεις ἦσαν δὲ χαλκαί.

But the identity of the ἄξονες and κύρβεις has been proved by Hulleman, *Miscellanea Philol.* (Amsterdam, 1850), and is now generally accepted. Cf. Preller on Polemon, p. 87; Frohberger's *Lysias*, III p. 23; Rose, *Ar. Pseudepigraphus*, 414; and Oncken, *die Staatslehre des Ar.*, 422. In view of the text, it is no longer possible to regard the κύρβεις (placed in the στοὰ) as later copies of the ἄξονες in the Prytaneum (so Busolt, i 539, and Müller, *Handbuch*, iv i 118).

τῇ στοᾷ τῇ βασιλείῳ called ἡ στοὰ ἡ βασιλεία in CIA i 61 (quoted in n. on πλὴν τῶν φοινικῶν). Harpocr. s. v. βασιλείος στοὰ: δύο εἰσὶ στοαὶ παρ' ἀλλήλας, ἡ τε τοῦ Ἐλευθερίου Διὸς καὶ ἡ βασιλείος.

In literature it is known as ἡ τοῦ βασιλείως στοὰ (Plat. *Euthyphron* 2 A, *Theaet.* 210 D) or ἡ στοὰ ἡ βασιλείος (Aristoph. *Ecll.* 684). Cf. Pausan. i 3, 1, καλουμένη στοὰ βασιλείος ἐνθα καθίζει βασιλεὺς ἐνιαυσίαν ἀρχὴν ἀρχὴν καλουμένην βασιλείαν. Pausanias, entering the inner Cerameicus from the north, sees the στοὰ βασιλείος as the first building on his right, i.e. on the W. side of the Cerameicus. Apparently he did not go inside, and he tells us nothing of the altar outside, where the Archons took their oath. (See esp. Wachsmuth, *Stadt Athen*, ii 344—351; Curtius, *Stadtgeschichte von Athen*, p. xc b, and p. 294; and cf. Miss Harrison's *Mythology &c. of Athens*, p. 24.)

The use of this στοὰ as a place for keeping a record of the laws of Athens is attested in Andoc. *De Myst.* 82, 85, ἀναγράφει ἐν τῇ στοᾷ, and 84, εἰς τὸν τοῖχον ἵνα περ' ἄλλων ἀνεγράφῃσιν. The statement of Anaximenes (in Harpocraton, s. v. ὁ κάτωθεν νόμος), that Epialtes transferred τοὺς ἄξωνας καὶ τοὺς κύρβεις from the Acropolis to the βουλευτήριον and the ἀγορά, is inconsistent with the text, and is probably a mere flourish of rhetoric. The κύρβεις were apparently always in the ἀγορά. Cf. Oncken, *Staatslehre*, ii 422. Secret meetings of the Areopagus were sometimes held ἐν τῇ βασιλείῳ στοᾷ, Dem. 25, *Aristog.* A, § 23. ὤμοσαν κτλ.] Plut. *Solon* 25, κοινὸν μὲν οὖν ὤμνηεν ὄρκον ἡ βουλὴ τοὺς Σόλωνος νόμους ἐμπεδώσειν, ἴδιον δ' ἕκαστος τῶν θεσμοθετῶν ἐν ἀγορᾷ πρὸς τῷ λίθῳ, καταπατίζων, εἰ τι παραβαίῃ τῶν θεσμῶν, ἀνδριάντα χρυσοῦν ἰσομέτρητον ἀναθήσει ἐν Δελφοῖς. On the oath of the Archons, cf. c. 55 § 5; and Plato *Phaedr.* 235 D, καὶ σοι ἐγὼ, ὥσπερ οἱ ἐννέα ἄρχοντες, ὑπισχνούμαι χρυσὴν εἰκόνα ἰσομέτρητον εἰς Δελφοὺς ἀναθήσειν.

The word ἰσομέτρητον is omitted in the text and in Pollux viii 86. It is ingeniously explained by Bergk (*Rhein. Mus.* xiii 448) as virtually equivalent to ἰσοστάσιον and as implying that the statue in gold was to be equivalent in weight to the amount of silver received as a bribe. This, he urges, is suggested by Deinarchus i 60, ii 17, where the δεκαπλοῦν τίμημα may be explained with reference to the relative value of gold to silver at Athens in the time of Solon, being 10 : 1. According to this view the archons swore that they would pay a fine equivalent to ten times the value of any bribe they

- ὁμνύντες πρὸς τῷ λίθῳ κατεφάτιζον ἀναθήσειν ἀνδριάντα χρυσοῦν, 5
 ἐάν τινα παραβῶσι τῶν νόμων ὅθεν ἔτι καὶ νῦν οὕτως ὁμνύουσι.
 2 κατεκύρωσεν δὲ τοὺς νόμους εἰς ἑκατὸν [ἔ]τη καὶ διέταξε τὴν πολι-
 τείαν τόνδε <τὸν> τρόπον.
 3 τιμήμα[τα δι]εῖλεν εἰς τέτταρα τέλη, καθάπερ διήρητο καὶ
 πρότερον, εἰς πεντακοσιομ[έδιμ]υ[ον καὶ ἵππέα] καὶ ζευγίτην καὶ 10

8 τὸνδε <τὸν> τρόπον edd.; cf. c. 29 § 5, 37 § 1. 9 <τὰ> τιμήματα Blass (H-I); ante τιμήματα lacunam indicant K-W, 'velut <τὸ πᾶν πλῆθος ἐκ> τιμημάτων διεῖλεν,' coll. Hesych. et Harp.

TESTIMONIA. 5 *Harp. λίθος...ἐοίκασι δ' Ἀθηναῖοι πρὸς τινι λίθῳ τοὺς ἄρκους ποιεῖσθαι, ὡς Ἄρ. ἐν τῇ Ἀθ. πολ. καὶ Φιλόχορος ἐν τῷ γ' ὑποσημαίνουσιν.

9 *Harp. ἱππᾶς...Ἄρ. ἐν Ἀθ. πολ. φησὶν ὅτι Σόλων εἰς τέτταρα διεῖλε τέλην

received. In the text, however, we have no reference to receiving bribes and no mention of the bulk of the statue; nor again have we either here, or in the excerpts of Heraclides or in Pollux, any mention of Delphi. Suidas (as observed by Thompson on Pl. *Phaedr.* l. c.) 'makes the statues three instead of one and represents them as portrait-statues of the delinquent' (χρυσῇ ἐκῶν: ὁμνουν οἱ Ἀθηναῖοι ἀρχαῖους, ἀν τι παρέλθωσιν ἐφ' οἷς ἀν ἀρχαῖων, χρυσῇ ἐκῶν αὐτῶν ἀναθήσειν ἐν δαστεῖ, ἐν Πυθοί, ἐν Ὀλυμπίᾳ). But portrait-statues were not in use in Solon's time, and 'it is very unlikely that the Delphians would have allowed their sacred peribolos to be defiled by the statue of a detected criminal. And if the penalty was intended to be enforced, the offering must needs have been of much more limited dimensions. It is therefore conceivable that both *ισομέτρητον* and *αὐτοῦ* were introduced by late writers into the text of the original oath, in order to make it conformable to the supposed meaning of Plato.' The text shews that this conjecture is right, and also that the insertion of ἐν Δελφοῖς has no warrant in the original form of the oath.

The λίθος was possibly identical with the altar of Ζεὺς ἀγοραῖος (Wachsmuth, *Stadt Athen*, ii 352).

§ 2. εἰς ἑκατὸν ἔτη] Plut. *Sol.* 25 init., ἰσχυρὸν δὲ τοῖς νόμοις πᾶσιν εἰς ἑκατὸν ἐνιαυτοῖς ἔδωκε.

§ 3. τιμήματα κτλ.] Hitherto it has been universally held that the classification of citizens according to property was first devised by Solon. Plut. *Sol.* 18, δεύτερον δὲ Σόλων τὰς μὲν ἀρχὰς ἀπάσας, ὥσπερ ἦσαν, τοῖς εὐπόροις ἀπολιτεῖν βουλόμενος, τὴν δ' Ὀλίαν μᾶλλον πολιτεῖαν, ἣς δὲ δήμος οὐ μετείχε, ἔλαβε τὰ τιμήματα

τῶν πολιτῶν, καὶ τοὺς μὲν ἐν ξηροῖς ὁμοῦ καὶ ὑγροῖς μέτρα πεντακόσια ποιοῦντας πρώτους ἔταξε καὶ πεντακοσιομεδίμους προσηγόρευσε· δευτέρους δὲ τοὺς ἵππων τρέφειν δυναμένους ἢ μέτρα ποιεῖν τριακόσια· καὶ τοὺς τοῖς ἱππῶδα τελοῦντας ἐκατόν· ζευγίται δ' οἱ τοῦ τρίτου τιμήματος ὠνομάσθησαν, οἷς μέτρον ἦν συναμφοτέρων διακοσίων. οἱ δὲ λοιποὶ πάντες ἑκαλοῦντο θῆτες, οἷς οὐδεμίαν ἀρχὴν ἔδωκεν ἀρχῆν, ἀλλὰ τῷ συνεκκλησιάζειν καὶ δικάζειν μόνον μετείχον τῇ πολιτείᾳ. The quotations in Harpocration are to the same effect. They ignore the 'Draconian constitution,' and they lend no support to the phrase: καθάπερ διήρητο καὶ πρότερον. Those who decline to accept the 'Draconian constitution' must necessarily omit the words just quoted. Mr Kenyon suggests that the statements in c. 7 can only be reconciled with the general ascription of the classes in question to Solon, by supposing that the latter brought them into a new relation to the political constitution. Solon began his reforms by repealing all of Dracon's laws except those relating to homicide. This implies that 'Solon made a clean sweep of all the laws relating to the constitution, so as to have a free hand in reconstructing it according to his own ideas. He then re-introduced the property classes, as well as the Council of Four hundred and the Areopagus.' This explanation is skilful and ingenious and may possibly be right.

On Solon's τιμήματα, see Boeckh, *Book iv c. v*; Grote, c. 11, vol. ii 318; Busolt i 527. The term *τιμήματα* occurs first in CIA i 31.

ζευγίτην] from ζεύγος, 'a team,' applied to one who kept a pair of mules (Isaeus 5 § 43; 6 § 33), or of working horses, or a yoke of oxen.

θῆτα. τὰς μὲν οὖν ἀρχὰς ἀπένειμεν || ἄρχειν ἐκ πεντακοσιομε- [Col. 3.]
δίμνων καὶ ἱππέων καὶ ζευγιδῶν, τοὺς ἐννέα ἄρχοντας καὶ τοὺς
ταμίαι καὶ τοὺς πωλη[τὰς] καὶ τοὺς ἑνδεκα καὶ τοὺς κωλακρέτας,
ἐκάστοις ἀνάλογον τῷ μεγέθει τοῦ τιμ[ή]μ[ατο]ς ἀποδιδούς τ[ῇ]
15 ἀρχήν. τοῖς δὲ τὸ θητικὸν τελοῦσιν ἐκκλησίας καὶ δικαστηρίων

11 τὰς μὲν οὖν ἀρχὰς K, K-W, H-L: [καὶ] τὰς [μεγίστο]ας ἀρχὰς Blass, qui aut me-
gistas (quod legi posse concedit K) delendum, aut in sequentibus complura mutanda
putat.

τὸ πᾶν πλῆθος Ἀθηναίων, πεντακοσιομεδίμνους καὶ ἱππίας καὶ ζευγίτας καὶ θήτας.
*Id. πεντακοσιομεδίμνων: ...ὅτι δὲ τέλη ἐποίησεν Ἀθηναίων ἀπάντων Σόλων, ὡς ἦσαν καὶ
οἱ πεντακοσιομεδίμνοι, δεδήλωκεν Ἀρ. ἐν Ἀθ. πολ. *Id. θήτες: ...εἰς τέσσαρα διηρημένους
παρ' Ἀθηναίους τῆς πολιτείας οἱ ἀπορώτατοι ἐλέγγοτο θήτες καὶ θητικὸν τελεῖν κτλ.
Pollux viii 130 τιμήματα δ' ἦν τέτταρα κτλ. Hesych. ἐκ τιμημάτων: ...διήρητο
γὰρ ἡ πολιτεία κατὰ Σόλωνα εἰς τέσσαρα, πεντακοσιομεδίμνων... Id. ζευγίων: ...ἦν
δὲ διηρημένη ἡ πολιτεία εἰς τέσσαρα τιμήματα. (Cf. Rose, Frag. 350^a, 388^a.)

15 Schol. Arist. Eq. 627 (οἱ θήτες), οἱ οὐδὲ ἀρχεῖν ἐφείτο, ἡ δικάζειν καὶ ἐκκλησιά-
ζειν μόνον.

τὰς ἀρχὰς ἀπένειμεν ἀρχαν] This
does not mean that the members of all
the three highest classes were eligible for
the office of archon. The first part of
the sentence must be read in the light of
the second, which implies that there was
a kind of scale of eligibility according to
the class in which the citizen was placed.
Those in the first class alone would be
eligible for the archonship. Cf. Plut.
Aristides 1, τὴν ἐπώνυμον ἀρχήν, ἣν ἤρχε
τῷ κύματι λαχὼν ἐκ τῶν γενῶν τῶν τὰ
μέγιστα τιμήματα κεκτημένων, οὗς πεντα-
κοσιομεδίμνους προσηγόρευον. The same
class supplied the ταμίαι c. 8 § 1. On the
ταμίαι and the πωληταί, see c. 47; on
the ἑνδεκα, c. 52.

κωλακρέτας] The form given by Photius
and Suidas: κωλαγρέτης in the Ravenna
MS of Aristoph. and in the lexicon of
Timaeus; lit. 'collectors of hams,' so
called from receiving the prime parts of
the victims to aid them in providing the
public meals in the *prytaneum*. They
are said to have had the control of fi-
nancial matters in the time of the kings;
in later times they acted as treasurers
of the *naucrariae*. They were left un-
touched by the legislation of Solon,
in connexion with which they are men-
tioned in the text; but in the reforms of
Cleisthenes they lost the charge of the
finances, which was then transferred to
new officers called *Apodactae* (48). Under
Pericles they were assigned the duty of
paying the dicasts, and they were con-
sidered officials of some importance in
the time of Aristophanes (Schol. on *Vesp.*
695, 727, *Av.* 1541). There is no docu-

mentary proof of their existence after the
Archonship of Euclides (403 B.C.). Cf.
Boeckh, ed. Fränkel, note 302, and Schö-
mann's *Antiquities*, i 327 E. T.; also
Mr Wayte's article in Smith's *Dict. Ant.*,
s.v., Gilbert, i 119 and Busolt, i 159.

ἐκάστοις—τῇ ἀρχῇ] *Pol.* 1291 b 38
ἐν μὲν οὖν εἶδος δημοκρατίας τοῦτο, τὸ τὰς
ἀρχὰς ἀπὸ τιμημάτων εἶναι κτλ.

τοῖς δὲ τὸ θητικὸν τελοῦσιν—μόνον] *Pol.* ii 12, 1274 a 15, Σόλων γε εἰκο-
τὴν ἀναγκασιότατην ἀποδιδόναι τῷ δήμῳ
δύναμιν, τὸ τὰς ἀρχὰς ἀρεῖσθαι καὶ εὐ-
θύνειν..., τὰς δ' ἀρχὰς ἐκ τῶν γυναικῶν
καὶ τῶν εὐπτόρων κατέστησε πάσας, ἐκ τῶν
πεντακοσιομεδίμνων καὶ ζευγιδῶν καὶ [τρί-
του τέλους] τῆς καλουμένης ἱπτάδος: τὸ δὲ
τέταρτον τὸ θητικόν, οἱ οὐδεμῶς ἀρχῆς
μετῆν. Cf. end of this chapter, τοῖς
δὲ ἄλλοις θητικόν, οὐδεμῶς μετέχοντας
ἀρχῆς.

τὸ θητικὸν τελοῦσιν] 'those who be-
longed to the thetic census.' It will be
observed that they are not here called
θήτες. Of those who were placed in the
fourth class Grote (ii 321) observes: 'It
is said that they were all called *Thētes*,
but this appellation is not well sustained
and cannot be admitted: the fourth com-
partment in the descending scale was in-
deed termed the Thetic census, because
it contained all the *Thētes*, and because
most of its members were of that humble
description, but it is not conceivable that
a proprietor whose land yielded to him a
clear annual return of 100, 120, 140 or
180 drachms, could ever have been desig-
nated by that name.' See, however, l. 11.

τελεῖν does not necessarily mean *actual*

4 μετέδωκε μόνον. ἔδει δὲ τελεῖν πεντακοσιομέδιμνον μὲν δς ἂν ἐκ τῆς οἰκείας ποιῇ πεντακόσια μέτρα τὰ συνάμφω ξηρὰ καὶ ὑγρά, ἵππᾶδα δὲ τοὺς τριακόσια ποιοῦντας (ὡς δ' ἐνιοὶ φασὶ τοὺς ἵπποτροφεῖν δυναμένους. σημείον δὲ φέρουσι τό τε ὄνομα το[ῦ] τέλους, ὡς ἂν ἀπὸ τοῦ πράγ[μ]ατος κείμενον, καὶ τὰ ἀναθήματα τῶν 20

17 τῆς: γῆς Bywater; τῆς defendit Kontos (*Atika* iii 321—2). ξηρῶν καὶ ὑγρῶν H-L coll. Plat. Sol. 18 (ἐν ξηροῖς ὁμοῦ καὶ ὑγροῖς). 19 δ' ἐπιφέρουσι H-L coll. c. 3, 11. 20 ὡς ἂν—κείμενον delect H-L; ἂν delect B.

TESTIM. 16—19 Pollux viii 130 οἱ μὲν ἐκ τοῦ πεντακόσια μέτρα ξηρὰ καὶ ὑγρά ποιῶν κληθέντες...οἱ δὲ τὴν ἵππᾶδα τελούντες ἐκ μὲν τοῦ δόνασθαι τρέφειν ἵππους κεκλησθαι δοκοῦσιν, ἐτοίον δὲ μέτρα τριακόσια (cf. Schol. in Plat. *Rep.* 415). Bekk. *Anecd.* 298, 20 πεντακοσιομέδιμνοι: οἱ ἐκ τῆς οἰκείας γῆς ποιοῦντες πεντακόσια μέτρα συνάμφω ξηρὰ καὶ ὑγρά. Id. 267, 13 ἵππᾶς:...οἱ ποιοῦντες τριακόσια μέτρα.

18 Schol. Arist. *Eg.* 627...ἵππῆς δὲ αὐτοῦς ὠνόμαζον διὰ τὸ δόνασθαι...ἵππων ἕκαστον αὐτῶν τρέφειν. Etym. cod. Vossianus, p. 1170, Gaisford, *Γενύσιον*...θεντέρου δὲ τοὺς ἵπποτροφεῖν δυναμένους καὶ τοὺς τοὺς ἵππους δὲ (leg. καὶ τοὺς ἵππᾶδα) τελούσας ἐκάλου.

payment, but 'the being included in a class with a certain aggregate of duties and liabilities,'—equivalent to *censeri*, 'to rank as'; Boeckh, p. 36, Grote, p. 321 n.

ἐκκλησίας—μόνον] *Pol.* 1281 δ 30, λείπεται δὴ τοῦ βουλευέσθαι καὶ κρίνειν μετέχειν αὐτοῦς κτλ.

§ 4. ποιῇ] [Dem.] *Phaenipp.* 42 § 20, p. 1045, πλουτεῖς εἰκότως ἐπειδὴν ποιῆς σίτου μὲν μεδύμους πλεόν ἢ χύλων, οἴνου δὲ μετρητὰς ὑπὲρ ὀκτακοσίους. πεντακόσια κτλ. Hitherto, it has been sometimes supposed that one who obtained from his land a net return of 500 measures of dry produce, such as corn or barley, together with 500 measures of liquid produce, such as oil or wine, ranked in the first class (Bruno Keil in *Berl. Phil. Woch.* 1891, p. 521 n.). It has also been held that a net return of either 500 dry measures or 500 liquid measures constituted a claim to that class (Busolt, i 527). It is now clear that the 500 measures could be made up of dry and liquid produce taken together, and this is also the purport of some of the evidence previously known to us, e.g. the article in Bekker's *Anecd.* 298, 20, which, it now appears, was taken from the present passage. By μέτρα is meant either a μέδιμνος (=six ἐκτεῖς=six *modii* =about 12 imperial gallons, or a bushel and a half) of dry measure, or a μετρητῆς in liquid measure. The latter is the standard ἀμφορέων of 12 χόες=60·33 pints, or slightly over 8½ gallons, and therefore three-fourths of the standard dry measure, the μέδιμνος.

ἵππᾶδα] (τελεῖν). Isaeus 7 § 39, ἀπεγράφω μὲν τίμημα μικρόν, ὡς ἵππᾶδα δὲ

τελῶν ἀρχεῖν ἡξίου τὰς ἀρχάς. In the Lex. of Photius, the first article on ἵππᾶς (followed by Suidas) makes the curious mistake of distinguishing the ἵππῆς and the ἵππᾶς and treating the latter as a fifth class; the second article, with the help of Harpocration's quotation from ll. 9, 10 of this chapter, corrects this mistake, adding τῶν οὖν ἵππῶν οἱ (sic) ἵππᾶδες.

ὡς δ' ἐνιοὶ φασὶ] There is no real discrepancy between the two views, all whose land produced a net return of 300 μέδιμνοι being deemed to have enough property to enable them to keep a horse for military purposes and to serve in the cavalry. Suidas, s. v. ἵππῆς, following Schol. on Aristoph. *Eg.* 627, says: ἵππῆς δὲ αὐτοῦς ὠνόμαζον διὰ τὸ δόνασθαι, εἴποτε χρεια γένοιτο, ἵππον ἕκαστον αὐτῶν τρέφειν. In addition to the war-horse (ἵππος πολεμωστήριος), a horse would be required for the servant of the ἵππῆς, and those who belonged to this class would also need a team for agricultural purposes (Boeckh, p. 639, Lamb, p. 579, Fränkel).

ὡς ἂν—κείμενον] 'as though' (or implying that) 'the name was derived from the fact just mentioned.' Ar. *Analytica Posteriora*, Γ 3, 72 δ 9, ὡς οὐκ ἂν ἐπισταμένους. περὶ ἀκουστών 803 δ 5, ἕκαστον τῶν μορίων προσπίπτον, ὡς ἂν ἀπὸ πληγῆς ἐτέρας ὂν, and 804 δ 25, φανοῦσιν, ὡς ἂν τὸ πνεῦμα βιαζόμενον. κείμενον, used, as often, for the perf. pass. part. of τίθημι. Isaeus 3 § 32, εἰ τις ἦδει τοῦθ' ὅπρ' τοῦ πατρὸς κείμενον, *nomen a patre impositum* (Cobet, *V. L.* 311, *N. L.* 703). Similarly in the next few lines, ἀναθήματα...ἀνάκει-

ται...ἀνέθηκε.] Polemon, a contemporary

ἀρχαίων ἀνάκειται γὰρ ἐν ἀκροπόλει εἰκὼν [[Διφίλου]], ἐ[φ' ἣ ἐπ]-ι-
γέγραπται τάδε:

Διφίλου Ἀνθεμίων τήνδ' ἀνέθηκε θεοῖς,
θητικού ἀντὶ τέλους ἵππᾶδ' ἀμειψάμενος.

25 καὶ παρέστηκεν ἵππος [ἐκμαρτυρῶν], ὡς τὴν ἵππᾶδα τοῦτο σημα[ι]-

21 Διφίλου secl. Thompson, K-W, B. 23 καὶ τὸ ἐπίγραμμα Διφίλου Ἀνθεμίων ἵππον τόνδ' ἀνέθηκε θεοῖς Pollucis codices, ubi viderunt critici aut Διφίλου et ἐπίγραμμα coniungenda esse aut cum Bekkero legendum Διφίλου Ἀνθεμίων τόνδ' ἵππον θεοῖς ἀνέθηκεν. Pollucis vero e codicibus unus habet Διφίλου Ἀνθεμίων τόνδ' ἀνέθηκε θεοῖς. Nostro autem in loco versus hexametrum nonnulli restituerunt, velut <ἵππον> Διφίλου Ἀνθεμίων ἀνέθηκε θεοῖς Tyrrell; Διφίλου Ἀνθεμίων τήνδ' <εἰκὼν> ἐθηκε θεοῖς numerosius J B Mayor, ἀνέθηκε ex ονεθηκε ortum fuisse arbitraturs (*Class. Rev.* v 177 a); Διφίλου Ἀνθεμίων τήνδ' <εἰκὼνα> θεοῖς ἀνέθηκε Thompson (ib. 225 δ). Sed Pollucis codices, non minus quam papyrus nostra, testantur versus priorem pentametrum fuisse. 25 ΕΚΜΑΡΤΥΡΩΝ (K): †ἐκμαρτυρῶν (K-W): ἐπιμαρτυρῶν Tyrrell et olim Blass (H-L); etiam ἐκ τῶν ἀριστερῶν Blass, sed exspectares ἐξ ἀριστερᾶς. Equidem ΤΕΚΜΗΡΙΩΝ ad explicandum sensum quondam adscriptum postea in ΕΚΜΑΡΤΥΡΩΝ mutatum fuisse crediderim; γγ in litura. els μαρτύριον ed. Blass.

TESTIMONIA. 21—24 Pollux viii 131 Ἀνθεμίων δὲ ὁ Διφίλου καλλωπίζεται δι' ἐπιγράμματος ὅτι ἀπὸ τοῦ θητικού τέλους εἰς τὴν ἵππᾶδα μετέστη, καὶ εἰκὼν ἐστὶν ἐν ἀκροπόλει ἵππος ἀνδρὶ παρεστηκώς· καὶ τὸ ἐπίγραμμα | Διφίλου Ἀνθεμίων τόνδ' ἀνέθηκε θεοῖς | θητικού ἀντὶ τέλους ἵππᾶδ' ἀμειψάμενος (Falckenburgii codex).

of Ptolemy Epiphanes (B.C. 204—181) devoted four books of his *περιήγησις* to the ἀναθήματα on the Acropolis (Strabo, ix 396). If the present passage was inserted at a later date than the time of Aristotle, it may possibly have been borrowed from the work of Polemon; but the only reason for doubting whether it is by the same hand as the rest of the treatise is the exceptionally frequent occurrence of *hiatus*, ἀκροπόλει εἰκὼν Διφίλου ἐφ' ἣ ἐπιγέγραπται. The passage was known to Pollux (viii 131), but whether his quotations from this treatise are taken at first hand or not, is uncertain.

Διφίλου] The statue was dedicated by Anthemion son of Diphilus. Diphilus himself had apparently belonged to the θητικὸν τέλος and would therefore have had no claim to be represented with a horse beside him. Mr A. S. Murray is therefore probably right in regarding the statue as that of the son, Anthemion (*Class. Rev.* v 108). Anthemion probably owed his promotion from the lowest to the second class either to a legacy or some other stroke of fortune which suddenly made him a wealthy man (Boeckh, p. 641 Lamb).

It is very improbable that an inscription of such a date consisted of two pentameter lines. 'Vix crediderim inscripti-

onem vetustam ex duobus pentametris constitisse. Exempla quidem id genus titularum quae Kaibel in ind. [*Epigr. Gr.*] p. 702 affert, sunt recentissima' (Preger, *Inscr. Gr. Metricae*, 1891, no. 74). The lines happen to give a consecutive sense but are possibly selected from two successive couplets of the original set of verses, the intermediate hexameter being omitted. 'ἄνδρα παρεστηκῶτα in versibus omitti non mirum... In anaglyphis saepius equi ad ordinem equestrem significandum additi sunt, cf. Goettling, *Opusc. Acad.* 243' (Preger, *l. c.*).

ἐκμαρτυρῶν] ἐκμαρτυρῶν = *palam testificor* in Aesch. *Eum.* 461, λουτρῶν ἐξεμαρτύρει φόνον, and Aeschin. p. 15, 19, *Or.* i § 107, ὡς οὐδένα ἐγὼ παρακαλῶ δεῦρο τὴν ἐαυτοῦ συμφορὰν, ἣν ἔλθοι σιγᾶν, εἰς πολλοὺς ἐκμαρτυρῆσαι. This sense is just tolerable in the present passage, though the word is perhaps needlessly strong for the context. It would be clearly out of place to give it the technical sense corresponding to that of ἐκμαρτυρία (*Class. Rev.* v 177 a), i.e. a deposition made by a witness who, by reason of illness or absence abroad, was unable to attend in court. The horse in this case may metaphorically indeed be described as giving evidence; but (so far from being either absent abroad or on the point of leaving the country) it is standing in the very

νου[α]ν. οὐ μὴν ἀλλ' εὐλογώτερον τοῖς μέτροις διηρῆσθαι καθάπερ τοὺς πεντακοσιομεδίμνους)· ζευγίσιον δὲ τελεῖν τοὺς διακόσια τὰ συνάμφω ποιοῦντας· τοὺς δ' ἄλλους θητικόν, οὐδεμιᾶς μετέχοντας ἀρχῆς. διὸ καὶ νῦν ἐπειδὰν ἔρηται τὸν μέλλοντα κληροῦσθαι τιν' ἀρχήν, ποῖον τέλος τελεῖ, οὐδ' ἂν εἰς εἴποι θητικόν. 30

8, τὰς δ' ἀρχὰς ἐποίησε κληρωτὰς ἐκ προκρίτων, [ο]ῦς

26 ΜΕΤΡΙΟΙΣ. 27 δ' ἔδει τελεῖν Kontos (H-L).

VIII 1 τ' ἈΡΧΗΣ (= τῆς δ' ἀρχῆς) frustra tueri conatus est Bury: emendavit K.

TESTIMONIA. 27—29 Pollux viii 130 οἱ δὲ τὸ ζευγίσιον (codd., Hesych., Phot., Schol. Plat., Bekk. *An.* 260 ult.: ζευγίσιον Etym. Magn.) τελούντες ἀπὸ διακοσίων μέτρων κατέλεγοντο...οἱ δὲ τὸ θητικόν οὐδεμίαν ἀρχὴν ἤρχον. *Harp. θῆτες:...οὗτοι δὲ οὐδεμίαν μετεῖχον ἀρχῆς, ὡς καὶ Ἀρ. θηλοὶ ἐν Ἀθ. πολ. Etym. Mag. p. 452, 15 θητικόν: οὗτοι δὲ οὐδὲ μᾶς μετεῖχον ἀρχῆς.

centre of Athens, on the platform of the Acropolis. The technical sense is therefore out of place, and the word is probably corrupt.

αἱ—σημαίνουσιν] For the participle used as an accusative absolute after ὡς, cf. c. 29 § 3, ὡς οὐ δημοτικὴν ἀλλὰ παραπλησίαν οὖσαν τὴν...πολιτείαν, and *Pol.* v (viii) 4, 1338 b 13, (οἱ Λάκωνες) θηρώδεις ἀπεργάζονται τοῖς πόνοις, ὡς τοῦτο πρὸς ἀνδράς μάλιστα συμφέρον. Kühner, *G. G.* § 488 d; Maetzner *ad Lycurgum*, § 90, p. 231; Rehdantz, *Ind. Dem.* s. v. Participium. Trans. 'implying that this was the meaning of the status of Knight.'

ζευγίσιον] This form is supported by the Etymologicum Magnum (and Gudanium) alone. The *codex Sordanicus* of the latter, p. 1170 D Gaisford, has ζευγίσιον: τῷ χαρακτήρι τῶν διὰ τοῦ ισίου, οἶον, Ἀφροδίσιον, Ἀτρεμίσιον (sic), Προβαλίσιον. οὗτως οὖν καὶ ζευγίσιον. *Per ἰ scribendum docet Choeroboscus in Crameri *Anecd.* ii p. 215, 10. Fränkel (n. 805 to Boeckh) urges that ζευγίσιον is the right form, and is better accredited than ζευγίσιον.

διακόσια] The property qualification of the ζευγίται has hitherto been a matter of dispute. Boeckh, p. 641 Lamb, fixes it at 150 medimni. This he infers from a law quoted in [Dem.] *Macari.* 43 § 54, p. 1067, according to which a πεντακοσιομέδμος was to pay the ἐπικληρος a dowry of 500 drachmae, a ἱππεὺς 300, and a ζευγίτης 150. From the correspondence of the first and second of these sums to the annual income of members of the first and second class, he infers that the dowry required of a ζευγίτης is identical in amount with his annual income. But he admits that all the positive evidence is in favour of 200 medimni.

This view, which is adopted by Grote (ii 320 note), is supported by the authority of the text.

διὸ καὶ νῦν κτλ.] 'Hence it is that even now, when one who is about to draw lots for any office is asked to what rank he belongs, no one would say that he belonged to the rank of the Thetes.' The subject of ἔρηται is the officer superintending the drawing of lots for an appointment. The same vague use of the verb occurs in c. 55, ἐπερωτῶσιν and φησί. As it was under the superintendence of the *Thesmothetae* that officials were appointed by lot (Schömann, *Antiquities*, p. 402 E. T.), the subject is probably ὁ θεσμοθέτης.

At first it was only the πεντακοσιομέδμοι who were eligible to the office of archon; next the ἱππεῖς; the ζευγίται became eligible in 457 B.C. (see c. 26). The present passage, as observed by Mr Kenyon, is interesting as shewing that the property qualification can never have been entirely abolished by law.

VIII § 1. κληρωτὰς ἐκ προκρίτων] 'appointed by lot, out of candidates selected by each of the (four) tribes.' Each of the 4 tribes nominated 10, and, out of these 40, the 9 archons were appointed by lot. The archons had formerly been elected by the Areopagus; and, whatever may have been the rule under Dracon, it was Solon who, with a view to extending the political power of the people, devised the combination of selection and sortition described in the text. It has hitherto been sometimes supposed that appointment by lot was not used in Athens before the time of Cleisthenes. This is the view of Grote, C. F. Hermann, Busolt, Gilbert, Duncker and others. Grote in fact cannot believe

2 [ἐκάσ]τη προκρίνειε τῶν φυλῶν. προῦκρινεν δ' εἰς τοὺς ἐννέα ἄρχοντας ἐκάστη δέκα, καὶ τοῦ[τοις] ἐ[πεκ]λήρουν δθεν ἔτι δια-

2 προκρίνει Gertz (K-W, K², B); προκρίνει (K¹); προῦκρινε olim B (H-L). 3 τοῦ-
τους ἐπεκλήρουν K² coll. 59 § 5, 'litterae unius tantum spatio inter τοῦ et ε relicto, ubi
τοῦς (ut videtur) in τοῦτοις correctum.' τοῦτους ἐκλήρουν K¹ (H-L); αὐτ τοῦτων
αὐτ <ἐκ> τοῦτων ἐκλήρουν (B) K-W; καὶ τοῦτων ἐκλήρουν Gomperz.

it was introduced as early as the time of Cleisthenes (c. 31, iii 123 n.). Curtius (i 478 E. T.) assigns it to this time. Schömann, in his criticisms on Grote (*Const. Hist. of Athens*, p. 73 E. T.), shews that an earlier date was not improbable; while Fustel de Coulanges (*La Cité Antique*, p. 212—4, ed. 1883) claims it as an institution of religious origin and therefore of great antiquity. The evidence of this treatise is in favour of its having been introduced at an early date.

The text enables us to understand the statement in Isocrates that, 'in the times of Solon and Cleisthenes,' they did not apply the lot to filling up offices out of the whole body of citizens, but selected those who were the best and the most suitable candidates for each office: *Areop.* § 22, οὐκ ἐξ πάντων τὰς ἀρχὰς κληροῦντες ἀλλὰ τοὺς βελτίστους καὶ τοὺς ἰκανωτάτους ἐφ' ἑκάστων τῶν ἔργων προκρίνοντες. Elsewhere, *Panaeth.* 145, he describes the constitution that the Athenians maintained 'for 1000 years' down to the age of Solon and the rule of Peisistratus, and says of the Athenians of old time that they ἐν ὀλίγαις ἡμέραις ἐώρων τοὺς νόμους ἀναγεγραμμένους (this can only refer to the legislation of Dracon). He then adds: περὶ τοὺς αὐτοὺς χρόνους καθίστασαν ἐπὶ τὰς ἀρχὰς τοὺς προκρίθεντας ὑπὸ τῶν φυλῶν καὶ δημοτῶν. [*Dem.*] *Neacr.* 59 § 75 says of the ἀρχῶν βασιλεὺς in the times after the σπονδικισμὸς of Theseus: τὸν μὲν βασιλέα...δὲ δήμος ἤπειρο ἐκ προκρίτων κατ' ἀνδραγαθίαν χειροτονῶν, where however we have mention of election by show of hands instead of appointment by lot. The use of the lot in the time of Solon is implied by *Dem. Leg.* § 90 (after mentioning Solon), τοὺς θεσμοθέτας τοὺς ἐπὶ τοῖς νόμοις κληρουμένους, but too great stress must not be laid on this phrase, as the orators sometimes ascribe to Solon institutions which really belonged to a later date.

The natural interpretation of the present passage is that Solon introduced a new principle by combining selection with sortition. In this respect it is not perhaps inconsistent with the statement in

Pol. ii 12, 1273 b 41, εἴκοι δὲ Σόλων ἐκεῖνα μὲν ὑπάρχοντα πρότερον οὐ καταλύσαι, τὴν τε βουλὴν (i.e. the Areopagus) καὶ τὴν τῶν ἀρχῶν αἰρεσιν, τὸν δὲ δήμον καταστήσαι, τὰ δικαστήρια ποιῆσαι ἐκ πάντων. Aristotle had just before remarked that some had singled out, as an aristocratic element in Solon's constitution, τὸ τὰς ἀρχὰς αἰρετάς (εἶναι). He adds that Solon did not abolish this principle, for αἰρεσις is not the 'manner of electing the magistrates,' but simply their election. They were still elected, but the details of the method of election were partly new; the new element being apparently the selection by the tribes. Aristotle approves of this method in *Pol.* viii (v) 5, 1305 a 28, μεταβάλλουσι δὲ καὶ ἐκ τῆς πατρίδος δημοκρατίας εἰς τὴν νεωτέραν· δπου γὰρ αἰρεταὶ μὲν αἱ ἀρχαὶ, μὴ ἀπὸ τιμημάτων δέ, αἰρεταὶ δὲ οἱ δήμοι, δημαγωγοῦντες οἱ σπουδαρχῶντες εἰς τοῦτο καθιστᾶσιν ὥς κύριον εἶναι τὸν δήμον καὶ τῶν νόμων. ἄκος δὲ τοῦ ἢ μὴ γίνεσθαι ἢ τοῦ γίνεσθαι ἦν τὸν τὸ τὰς φυλὰς φέρειν τοὺς ἀρχοντας, ἀλλὰ μὴ πάντα τὸν δήμον.

In *Pol.* vi (iv) 14, 1298 b 9, while discussing oligarchies, he mentions some non-oligarchical elements: ἐάν δὲ ἐνίων μὲν αἰρετοὶ ἐνίων δὲ κληρωτοὶ, καὶ κληρωτοὶ ἢ ἀπλῶς ἢ ἐκ προκρίτων, ἢ κοινῇ αἰρετοὶ καὶ κληρωτοὶ, τὰ μὲν πολιτείας ἀριστοκρατικῆς ἐστί τούτων, τὰ δὲ πολιτείας αὐτῆς. Cf. 1266 a 8; *Plat. Leg.* 945 B, 753; *Rep.* 537 D.

δθεν ἔτι διαμένει. This passage and its context are among the many in which the author argues from survivals, or infers a fact from a reason.

'The signals of this method,' as remarked by Mr Macan (*J. H. S.* xii 38), 'are the innocent γὰρ (c. 2 l. 5, c. 3 l. 6 *et alibi*), the more elaborate δθεν or δθεν καὶ (c. 3 l. 8, c. 8 l. 3), the suspicious δὲ, διὰ καὶ (c. 3 l. 17, c. 8 l. 16) and above all the term σημεῖον. Wherever these signals occur the critical reader will beware of danger ahead. It may not be necessary in every case to reject the supposed evidence and inference, but it will always be expedient carefully to examine before admitting them.' The writer is here arguing that the method of appointing archons

μένει ταῖς φυλαῖς τὸ δέκα κληροῦν ἐκάστην, εἴτ' ἐκ τούτων κυ-
 μέν[ειν]. σημείον δ' ὅτι κληρωτὰς ἐποίησεν ἐκ τῶν τιμημάτων 5
 ὁ περὶ τῶν ταμιῶν νόμος, ᾧ χρώμενοι [διατελοῦ]σιν ἔτι καὶ νῦν
 2 κελεύει γὰρ κληροῦν τοὺς ταμίαις ἐκ πεντακοσιομεδίμνω[ν. Σόλ]ων
 μὲν οὖν οὕτως ἐνομοθέτησεν περὶ τῶν ἐννέα ἀρχόντων. τὸ γὰρ
 ἀρχαῖον ἢ ἐν Ἀρ[είφ πάγῃ βουλῇ] ἀνακαλεσαμένη καὶ κρίνασα
 καθ' αὐτὴν τὸν ἐπιτηδεῖον ἐφ' ἐκάστη τῶν ἀρχῶν ἐπ' ἐν[ι]α[υτ]ὸν 10
 3 [διατάξ]α ἀπέστελλεν. φυλαὶ δ' ἦσαν τέτταρες καθάπερ πρό-
 τερον καὶ φυλοβασίλεις τέτταρες. ἐκ δὲ [τῆς] φυ[λῆς] ἐκ[ά]στης

5 ΕΠΟΙΗΣΑΝ (K): ἐποίησεν Bury, Hude, K-W, H-L, B. 8 περὶ τῶν ἐννέα ἀρ-
 χόντων secl. K-W². 10 ἐκάστην H-L. 11 διατάσσα K, H-L: καθιστάσα K-W.
 ἦσαν τέτταρες: ΗCΑΝΔ. 12 ΤΕCΤΑΡΕC. EK: ἐπ' H-L, sed spatium non sufficit.

TESTIMONIA. 11—14 *Photius ναυκραρία...ναυκραρία μὲν οὖσιν τι ἢ συμμορία
 καὶ ὁ δῆμος, ναύκραρος δὲ οὖσιν τι ὁ δήμαρχος, Σόλωνος οὕτως ὀνομάσαντος, ὥς καὶ
 Ἀρ. φησί...ἐκ δὲ τῆς Ἀριστοτέλους πολιτείας ὃν τρόπον διέταξε τὴν πόλιν ὁ Σόλων
 "φυλαὶ—ἐκάστην" (cf. Pollux viii 108; Rose, Frag. 349², 387²). Hesych. ναύκλαρος.

adopted in his own day is a survival from that in the times of Solon. The intervention of the tribes is the point in common between the two methods: but, whereas in the earlier method they select, in the later they only appoint by lot. In the former, the lot is resorted to in the second stage only; in the latter, in both.

κνυμένω[ν] is synonymous with κληροῦν, the κνῆμος, or bean, being employed in the process of appointment by lot. The procedure was as follows: Two jars were set up; in one of these was placed a number of white and coloured beans, in the other the small tablets with the names of the candidates. Then a tablet and a bean were drawn simultaneously and the candidate whose name came out along with the white bean was nominated (Schömann, *Antiquities*, p. 401 E. T.).

κνυμένω occurs in the ὄρκος ἡλιαστῶν in Dem. 24 § 150, δοαί (ἀρχαί) μετὰ τῶν ἐννέα ἀρχόντων κνυμένονται, cf. Xen. *Mem.* i 2 § 9 (Socrates) λέγων ὡς μῶρον εἴη τοῦς μὲν τῆς πόλεως ἀρχοντας ἀπὸ κνῆμον καθιστάναι, κυβερνήτῃ δὲ μὴδένα ἐθέλειν χρῆσθαι κνυμένῳ. c. 22 § 5.

σημείον 8' εἰ κτλ.] The law requiring the ταμίαι to be elected from among the πεντακοσιομέδμωι is quoted to prove that Solon regulated the allotment of office according to the property classes. The law existed in the writer's time but was practically unenforced, as appears from c. 47. *Pol.* 1282 a 29, τῆς μὲν ἐκκλησίας μετέχουσιν καὶ βουλευσὶν καὶ δικάζουσιν ἀπὸ μικρῶν τιμημάτων καὶ τῆς τυχούσης

ἡλικίας, ταμιεῖοι δὲ καὶ στρατηγοὶ καὶ τὰς μεγίστας ἀρχὰς ἀρχοῦσιν ἀπὸ μειζύων.

§ 2. ἢ ἐν Ἀρείφ πάγῃ βουλῇ] This passage gives us definite authority for the manner in which the public officials were elected in earlier times at Athens. Heretofore it could only be conjectured that they were elected by the Areopagus. τὸ ἀρχαῖον is vague, and may either mean up to the time of Solon, or up to that of Dracon. In c. 4 we have been told that, under Dracon, the officials were elected by οἱ δῆλα παρεχόμενοι, but the Draconian constitution is much disputed.

ἀνακαλεσαμένη] 'having summoned,' without any necessary allusion to the fact that the βουλὴ of the Areopagus was ἡ ἀνω βουλὴ. Cf. Aeschines, *F. L.* 17, *ἔπεισε τὴν βουλὴν* (the 500) ἀνακαλέσασθαι τὸν Ἀριστὸδῆμον.

§ 3. φυλαί] The successive names of the four tribes in the early history of Athens are quoted by Pollux viii 100. In the time of Erechtheus they took their names (Γελέωντες, Ὀπλητες, Αἰγικόρεις, Ἀργαῖοι) from the sons of Ion. Cf. Hdt. v 66 (of Cleisthenes) τῶν Ἰωνος παίδων Γελέωντος καὶ Αἰγικόρους καὶ Ἀργάδου καὶ Ὀπλητος ἀπαλλάξας τὰς ἐπωνυμίας. Eur. *Ion* 1579, Γελέων (Canter: Τελέων vulg.) μὲν ἔσται πρῶτος· εἰτα δεύτερον Ὀπλητες Ἀργαδῆς τ', ἐμῆς δ' ἀπ' αἰγίδος ἐν φύλῳ ἔξουσ' Αἰγικορῆς. (Schömann, *On Grotie*, § 2, and *Antiquities*, p. 317 f. E. T.; Philipp, *Au. Bürgerrecht*, pp. 233—296.) φυλοβασίλεις] These officials are iden-

ἦσαν νενεμημένοι τριττύες μὲν τρεῖς, ναυκραταὶ δὲ δώδεκα καθ' ἐκάστην. [ἐπὶ δὲ τῶν] ναυκρατιῶν ἀρχὴ καθεστηκυῖα ναύκραροι, 15 τεταγμένη πρὸς τε τὰς εἰς[σ]φορὰς καὶ τὰς δαπ[άν]ας] τὰς γιγνο-

13 ΝΑΥΚΡΑΙ|ΡΑΙ.

14 ἐπὶ δὲ τῶν Blass; ἦν δὲ τῶν Κ; ἦν δ' ἐπὶ τῶν K-W, H-L, sed spatium vix sufficit.

15 ΓΙΝΟΜΕΝΑς (K-W).

tical with those called βασιλεῖς (1) in the 13th Axon of Solon, quoted by Plutarch, *Sol.* 19, ἐπιτίμους εἶναι πλὴν ὅσοι ἐξ Ἀρείου πάγου ἢ ὅσοι ἐκ τῶν Ἐφετῶν ἢ ἐκ Πρυτανείου καταδικασθέντες ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ ἢ σφαγαῖσιν ἢ ἐπὶ τυραννίδι ἔφευγον, and also (2) in the decree of Patrocleides, Andocides, *de Myst.* § 78 (founded on the language of the law just quoted), ἢ ἐξ Ἀρείου πάγου ἢ τῶν Ἐφετῶν ἢ ἐκ Πρυτανείου ἢ Δελφωλίου ἐδικάσθη ἢ ὑπὸ τῶν βασιλέων, ἢ ἐπὶ φόνῳ τίς ἐστι φυγῇ, ἢ θάνατος κατεγνώσθη, ἢ σφαγεῖσιν ἢ τυραννίς. In the context of the first passage they are called πρυτάνεις; in that of the second, they are distinguished from the Archon-Basileus. The identity of the βασιλεῖς of Solon with the φυλοβασιλεῖς of Pollux (viii 111, 120) is supported by the connexion of both with the Πρυτανεῖον. The βασιλεῖς apparently dealt with cases of persons who aimed at a τυραννίς. They also presided over the Ephetae in the court of homicide at the Prytaneum (cf. 57 end). They probably represented 'the priestly functions of the ancient chieftains of the several separate tribes which were ultimately fused into a single community' (Prof. Ridgeway in Smith, *Dict. Ant. s. v.*). The fact that they were four in number was already known from the quotation of the present passage in Photius, *s. v.* ναυκρατία. Cf. Pollux viii 111, as emended by Wecklein, οἱ δὲ φ. ἐξ εὐπατριδῶν τέσσαρες (δ for δὲ) ὄντες κτλ. In the *Bulletin de Correspondance Hellénique*, iii 69, we have an inscr. found on the Acropolis respecting a fund called τὰ φυλοβασιλικὰ, part of which was spent on celebrating a religious festival.

τριττύες ... ναυκραταί.] The plupf. shows that these divisions had existed before the time of Solon. Photius, *s. v.* ναυκρατία, carelessly quotes Aristotle as his authority for ascribing to Solon the origin of the term ναύκρατος (Σόλωνος οὗτος ὀνομάσαντος, ὡς καὶ Ἀριστοτέλης φησὶ). That he had the present passage in view is indicated by his quoting it *verbatim* at the end of his article.

The existence of the ναυκραταί before the time of Solon is proved by Hdt. v

71, where their πρυτάνεις are described as holding an important position in the government of Athens at the time of the conspiracy of Cylon: οἱ πρυτάνεις τῶν ναυκράων (al. ναυκρατίων) ὅπερ ἐνεμον τότε τὰς Ἀθήνας; but Thuc. i 126 § 5 corrects this account and substitutes for them the nine Archons, adding τότε δὲ τὰ πολλὰ τῶν πολιτικῶν οἱ ἐννέα ἀρχόντες ἐκράσσον. Schömann (*Ant.* p. 326 E. T.) endeavours to reconcile both narratives by assigning to the nine Archons a place on the board of Prytaneis.

The *Naucrari* were the presidents of the *Naucrariae*, and the latter were the administrative districts into which the country was then divided. There were 12 in each tribe or 48 in all. Every four of these districts formed a group called a τριτύς, or third part of a tribe. In Photius p. 196 Porson, and in Bekk. *Anac.* p. 275, mention is made of a ναυκρατία called Κωλιάς which is the name of a strip of coast and cliffs near Phalerum. The term ναυκρατία has reference to the duty imposed on these districts of equipping a ship of war, in addition to that of providing two horsemen (Pollux viii 108). Grote, c. 10, ii 264 n., thinks 'the statement that each Naukray was obliged to furnish one ship can hardly be true of the time before Solon.' The actual expense probably fell on the wealthier inhabitants of the district, and it would naturally be from their number that the ναύκραροι, or presidents of the ναυκραταί, were chosen. There was one president for each ναυκρατία, or 12 for each tribe. Hesychius *s. v.* ναύκλαροι (sic) ... τινὲς δὲ ἀφ' ἐκάστης φυλῆς δώδεκα, ὁλντες ἀφ' ἐκάστης χώρας τὰς εἰσφορὰς ἐξέλεγον. ὕστερον δὲ δῆμαρχοι ἐκλήθησαν (Schömann, *Antiquities*, p. 326 E. T.; Duncker, *H. G.* ii 144 E. T.; Gilbert, *Gr. St.* i 135; *Jahrb. f. cl. Phil.* 1875, pp. 9 and 452). ναύκρατος is formed from ναῦς and the root κᾶρ (by metathesis κᾶρ) which appears in κραίνω 'to complete or accomplish' (G. Meyer in Curtius, *Studien*, vii 175).

τὰς εἰσφορὰς] Pollux viii 108, τὰς δ' εἰσφορὰς τὰς κατὰ δήμους διεχειροτόνουν οὗτοι (sc. οἱ ναύκραροι) καὶ τὰ ἐξ αὐτῶν ἀναλώματα.

μένας διὸ καὶ ἐν τοῖς νόμοις τοῖς Σ[όλωνος, οἷς οὐκέτι χρώνται, πολλαχ[οῦ] γέγραπται τοὺς ναυκράρους εἰσπράττειν καὶ ἀνα-
 4 λίσκειν ἐκ τοῦ ναυκραρικοῦ ἀργυρίου. βουλὴν δ' ἐποίησε
 τετρακοσίους, ἐκατὸν ἐξ ἐκάστης φυλῆς, τὴν δὲ τῶν Ἀρεοπαγιτῶν
 ἔταξεν ἐπὶ τὸ νομοφυλακεῖν, ὥσπερ ὑπῆρχεν καὶ πρότερον ἐπὶ-
 20 σκοπος οὗσα τῆς πολιτείας· καὶ τὰ τε ἄλλα τὰ πλείστα καὶ τὰ
 μέγιστα τῶν πολιτικῶν διετήρει καὶ τοὺς ἀμαρτάνοντας ᾗθυθεν
 κυρί[α] οὖσα [καὶ ζη]μι[οῦν] καὶ κολάζειν, καὶ τὰς ἐκτίσεις ἀνέ-
 φερειν εἰς πόλιν οὐκ ἐπυγράφουσα τὴν πρόφασιν τοῦ *πράττ[ε]σθαι,
 καὶ τοὺς ἐπὶ καταλύσει τοῦ δήμου συν[ι]σταμένους ἔκρινεν, Σόλω-
 5 νος θέν[τος] νόμον εἰσα[γγ]ελ[ίας] περὶ αὐτῶν. ὁρῶν δὲ τὴν μὲν

17 πολλαχοῦ Wessely (K², B, litteris incertis Δχ); πολλαχόθι Paton (H-L), sed spatium vix sufficit; πολλ[άκις] K-W. 20 ἐπὶ τὸ Paton, Gennadios (K-W, H-L, K², B): ἐπὶ K¹. 21 καὶ εἰς τὰ ἄλλα H-L. 22 τ(ων) ΠΟΛΙΤΩ(Ν): τῶν πολιτικῶν Richards, Hude (K-W, H-L, K², B), cf. 3, 35 τὰ πλείστα καὶ μέγιστα τῶν ἐν τῇ πόλει; τῶν <περὶ τῶν> πολιτῶν satis probabiliter conicit K. 23 καὶ ζημιῶν Blass (H-L, K²); τοῦ ζημιῶν K¹ (K-W). ἐκτεῖσαι B. 24 τοῦ πράττεσθαι (exigendi) scripsi, coll. Plat. Leg. 762 B τὴν διπλάσιαν (ζημίαν) πραττέσθω τὸν ὑποφύγοντα: τοῦ κολάζεσθαι K¹; (hiatu admissio) τοῦ εὐθύνεσθαι Blass (H-L, K²); τοῦ εἰσπράττεσθαι? K-W; τοῦ ἐκτίσεσθαι Tyrrell. 26 νόμον εἰσαγγέλλας Wessely et K²; νόμον..... K-W, B; ὁ μὲν [οὗτος] ἔταξε K¹ (H-L).

ἐν τοῖς νόμοις κτλ.] Phot. Lex. ναυκραρία: καὶ ἐν τοῖς νόμοις δὲ "ἐάν τις ναυκραρίας ἀμφισβητῇ," καὶ "τοὺς ναυκράρους τοὺς κατὰ τὴν ναυκραρίαν."

§ 4. βουλὴν δ' ἐποίησε τετρακοσίους] A new council of 400 is here contrasted with the previously existing council of the Areopagus. There is nothing in the phrase to shew that the writer has made any mention of a previous council under Dracon. Cf. Plut. Sol. 19, συστησάμενος δὲ τὴν ἐν Ἀρείῳ πάγῳ βουλὴν... δευτέραν προσκατέειπε βουλὴν ἀπὸ φυλῆς ἐκάστης, τεττάρων οὐσῶν, ἐκατὸν ἀνδρας ἐπιτελέαμενος.

Ἀρεοπαγιτῶν] Philippi, *Areop. u. Erheben*, pp. 199—246; Gilbert, i 136. Duncker, *Gesch. d. Att.* (xii 12) vol. vi 187—194.

ἐπίσκοπος οὖσα κτλ.] Plut. l.c., τὴν δ' αὖν βουλὴν ἐπίσκοπον πάντων καὶ φύλακα τῶν νόμων ἐκάθισεν.

τὰ πλείστα καὶ τὰ μέγιστα κτλ.] c. 3 § 6, ὁφείκει δὲ τὰ πλείστα καὶ τὰ μέγιστα τῶν ἐν τῇ πόλει, καὶ κολάζουσα καὶ ζημιόουσα πάντας τοὺς ἀσμουήντας κυρίως.

ἀνέφερεν] Dem. 41 § 8, τὴν τιμὴν οὗτ' ἐκείνῳ διέλυσε οὐτε νῦν εἰς τὸ κοινὸν ἀνέηχετο.

εἰς πόλιν] = εἰς ἀκρόπολιν (cf. c. 60 § 3). Thuc. ii 15, καλεῖται δὲ ἡ ἀκρόπολις μέχρι τοῦδε ἐπὶ ὑπ' Ἀθηναίων πόλιν. Aristoph.

Nub. 69, *Eq.* 267, *Lys.* 245. 'In inscriptions ἐν ἀκροπόλει is first found in B.C. 387—6, according to *Bull. d. Corr. Hell.* 1888 p. 149. In fourth century prose the use of πόλις is preserved in certain familiar and unambiguous combinations: [Xen.] *De Red.* v 12, χρήματα εἰς τὴν πόλιν ἀνερχόμενα. Schol. Aristoph. *Lys.* 273, ἔστησαν ἐν πόλει παρὰ τὸν ἀρχαῖον νεῶν (possibly quoted from one of the writers of Ἀτθίδες or from Craterus). For other references see Maetzner on Antiph. 6 § 39 ἐν τῇ πόλει. On the other hand Andoc. 3 § 7, and Aeschin. 2 § 175, have ἀναφέρειν εἰς τὴν ἀκρόπολιν' (Wyse).

ἐπὶ καταλύσει τοῦ δήμου—νόμον εἰσαγγέλλας] εἰσαγγέλλειν has already been used in a general sense in 4 § 4. We now find a definite νόμος εἰσαγγέλλας ascribed for the first time to Solon. The special case here mentioned corresponds to the first of the three classes of crimes which, according to Hyperides, were included in the νόμος εἰσαγγελητός, *pro Eux.* 22, ἐάν τις τὸν δῆμον τὸν Ἀθηναίων καταλύῃ ἢ συνίῃ ἐπὶ καταλύσει τοῦ δήμου ἢ ἐταιρικῶν συναγάγῃ (Isocr. *de Big.* 6; Dinarch. c. *Dem.* 94). Cf. Theophr. apud Lex. Rhett. Schant. s.v. εἰσαγγελία: ἐάν τις καταλύῃ τὸν δῆμον. The text implies that the definition given by Theophrastus applies to a far earlier date than the time

πόλιν πολλάκις στασιάζουσιν, τῶν δὲ πολιτῶν ἐνίους δ[ιὰ] τὴν ῥαθυμ[ίαν] [ἀγαπῶ]ντας τὸ αὐτόματον, νόμον ἔθηκε πρὸς αὐτοὺς ἴδιον, ὃς ἂν στασιαζούσης τῆς πόλ[εω]ς μ[ὴ] θ[ῆ]ται τὰ δπλα μηδὲ
30 μεθ' ἐτέρων, ἄτιμον εἶναι καὶ τῆς πόλεως μὴ μετέχειν.

9. τὰ μὲν οὖν [περὶ τὰς] ἀρχὰς τ[οῦτ']ον εἶχε τὸν τρόπον. δοκεῖ δὲ τῆς Σόλωνος πολιτείας τρία ταῦτ' εἶναι τὰ δημοτικώτατα:

28 ἀγαπῶντας K-W et Kontos: ἀποκρούοντας Rutherford; περιμέροντας (J E B Mayor, Marchant, Blass, Gennadios, H-L) quondam coniecti, coll. Plut. Sol. 20 περιμένειν ἀκινδύνως τὰ τῶν κρατούντων, sed ὧντ potius quam οὐντ in papyro apparet. περιωρῶντας Bury coll. Thuc. iv 71 τὸ μέλλον περιβεῖν (B). Fortasse περιωρῶντας τὸ ἀποβαῖνον scribendum. 29 θῆται H-L (K², B); τιθῆται Richards, Blass, K-W, sed spatium vix sufficit.

IX 1 εἶχε litteris evanidis (K, B): ἔταξε K-W, H-L. 2 τρία ταῦτ' papyrum secutus K; τρία τὰδ' H-L, K-W². τὰ om. H-L.

TESTIMONIA. 28—30. *Gellius, ii 12: In legibus Solonis illis antiquissimis quae Athenis axibus ligneis incisae sunt quasque latas ab eo Athenienses ut sempiternae manerent poenis et religionibus sanxerunt, legem esse Aristoteles refert scriptam ad hanc sententiam: 'si ob discordiam dissensionemque seditio atque discissio populi in duas partes fiet et ob eam causam irritatis animis utrumque arma capientur pugnanturque, tum qui in eo tempore in eoque casu civilis discordiae non alterutrae parti sese adiunxerit, sed solitarius separatusque a communi malo civitatis secesserit, is domo patria fortunisque omnibus careto, exul extorrisque esto' (Rose, Frag. 353², 391²).

after Euclides, to which it has been assigned by Fränkel, *Att. Geschworenenger.*, p. 77.

There is a vague reference to εἰσαγγεῖλαι in the time of Solon in Pollux viii 53, χίλιοι δὲ κατὰ μὲν Σόλωνα τὰς εἰσαγγελίας ἔκρινον, κατὰ δὲ τὸν Φαληρεὰ καὶ πρὸς πεντακόσιοι, cf. Philochorus, 155 Müller, εἰσάγγελλον, ὡς μὲν Φιλόχορος, χίλιον καθυζόμενον, ὡς δὲ Δημήτριος ὁ Φαληρεὺς χίλιον πεντακόσιον (cf. Duncker, *G. d. A.* vi 179 n). The special case mentioned in the text came before the Areopagus.

§ 5. νόμον ἔθηκε κτλ.] Plut. Sol. 20 ἐπιί. τῶν δ' ἄλλων αὐτοῦ νόμων ἴδιος μὲν μάλιστα καὶ παράδοξος ὁ κελεύων ἄτιμον εἶναι τὸν ἐν στάσει μηδετέρας μερίδος γενόμενον. βούλεται δ', ὡς εἴκοι, μὴ ἀπαθῶς μηδ' ἀναισθήτως ἔχειν πρὸς τὸ κοινόν, ἐν ἀσφαλεῖ θέμενον τὰ οἰκία καὶ τῷ μὴ συναγεῶν μηδὲ συννοεῖν τῇ πατρὶδι καλλωπιζόμενον, ἀλλ' αὐτόθεν τοῖς τὰ βελτίω καὶ δικαιότερα πράττουσι προσθέμενον συγκινδυνεύειν καὶ βοηθεῖν μᾶλλον ἢ περιμένειν ἀκινδύνως τὰ τῶν κρατούντων. *Prac. Ger. Retz.* 32 § 1, ii 823 F, ἀπορήσει... καὶ θαυμάσει τί παθὼν ἐκεῖνος ὁ ἀνὴρ ἔγραψεν ἄτιμον εἶναι τὸν ἐν στάσει πόλεως μηδετέρος προσθέμενον, *De Sera Numinis Vindicta* 4, ii 550 B—C, παραλογώτατον δὲ τὸ τοῦ Σόλωνος, ἄτιμον εἶναι τὸν στάσει μηδετέρα μερίδι προσθέμενον μηδὲ συστασιάζαντα. *Cic. ad Atticum* x 1, 2, ego vero Solonis...

legem neglegam, qui capite sanxit, si quis in seditione non alterius utrius partis fuisset. (Cf. Grote, c. 11, ii 341.) Prof. Mayor (*Class. Rev.* v 120 δ) also refers to Cantacuzen. iv 13, and Nicephorus Gregora ix 6 fin.

θῆται τὰ δπλα] metaphor from taking up a position in the face of an enemy. Plato, *Rep.* 440 E, ἐν τῇ τῆς ψυχῆς στάσει τίθεσθαι τὰ δπλα πρὸς τοῦ λογιστικοῦ. The phrase is frequent in Xenophon's *Anabasis* in several military senses, e.g. εἰς τάξιν τὰ δπλα τίθεσθαι ii 2, 21 and v 4, 11 (Krüger's *Lexikon*, or Vollbrecht's *Wörterbuch*).

μηδὲ μεθ' ἐτέρων] Also in Thuc. ii 67 § 5, cf. v 48, οὐδ' ὑπ' ἐτέρων. vi 44 § 4, οὐδὲ μεθ' ἐτέρων. vii 59 § 1, μηδὲ μεθ' ἑτερα.

IX § 1. τῆς Σόλωνος πολιτείας—τὰ δημοτικώτατα] Isocr. 7 § 16, ἐκείνην τὴν δημοκρατίαν, ἣν Σόλων μὲν ὁ δημοτικώτατος γενόμενος ἐνομοθέτησε. Dem. 18 § 6, Σόλων, εἰς τοὺς ὧν ὑμῖν καὶ δημοτικός. For Solon's relations to democracy see *Pol.* ii 12, 1273 δ 35. In the language of Mr Newman's excellent paraphrase in vol. i p. 373, we are there told that 'certain persons regarded Solon as the destroyer of an extreme oligarchy, on the ruins of which he constructed the πατριος δημοκρατία, a wisely mixed constitution: they took him to have founded

πρῶτον μὲν καὶ μέγιστον τὸ μὴ δανείζειν ἐπὶ τοῖς σώμασιν, ἔπειτα τὸ ἐξεῖναι τῷ βουλευμένῳ [τιμωρεῖν] ὑπὲρ τῶν ἀδικουμένων, τρίτον δὲ (<φ> μάλιστα φασιν ἰσχυκέναι τὸ πλῆθος) ἢ εἰς τὸ δικ[αστή-
ριον] ἔφ[εσι]ς κύριος γὰρ ὢν ὁ δῆμος τῆς ψήφου, κύριος γίγνεται τῆς

4 τιμωρεῖν Paton, K-W (K², B), cf. 19, 2; τιμωρεῖσθαι Wyse, H-L; δικάζεσθαι K¹; δίκην λαβεῖν (hiatu vitato) J W Headlam et Lipsius, coll. Plut. Sol. 18. 5 φ ins. H-L (K², B); φ καὶ K-W; ἦ K¹. 6, 9, 18 ΓΙΝ (K-W).

the Areopagus, to have introduced the system of filling magistracies by election, and to have created the popular dicastery, thus as it were equipping the State with a complete set of new institutions.... To this view of Solon's work Aristotle objects: he says that Solon would seem to have found the council of the Areopagus, and the system of filling the magistracies by election, already established, and that he...left them as he found them, whereas he did institute the popular element in the constitution by founding the popular dicasteries. He appeals in support of his contention to the opinion of a second set of critics, who made Solon responsible for the existing extreme democracy. They complained that, so far from being the author of a mixed constitution, he overpowered the oligarchical element by the democratic, inasmuch as he gave supreme power to the popular dicastery. Armed with this judicial authority, the people became masters of the State; one statesman after another had to play into their hands, and so the extreme democracy gradually came into being. Aristotle, however, holds that these inquirers ascribed to Solon's institution of popular dicasteries consequences which would not have resulted from it, if it had not been for accidental circumstances. Solon was far from intending to found an extreme democracy; he gave, in fact, only a modicum of power to the people—enough to content them and no more—and reserved office for the better-to-do classes. On the other hand, he was not the contriver of an elaborate mixed constitution, but rather the founder of the beginnings of popular liberty; still less was he the undoer of the power of the Few. He left office in their hands, and gave the people only just enough power to make the holders of office govern well.'

μὴ δανείζειν κτλ.] 6 § 1. τὸ ἐξεῖναι—ἀδικουμένων] Plut. Sol. 18, οἰόμενος δὲ ἐπαρκεῖν τῇ τῶν πολλῶν ἀσθενείᾳ, παρτὶ λαβεῖν δίκην ὑπὲρ τοῦ κακῶς πεπονθότος ἔδωκε· καὶ γὰρ πλεγγύτος ἐτέρου ἢ βλαβέντος ἐξῆν τῷ δυναμένῳ καὶ βουλευμένῳ

γράφεσθαι τὸν ἀδικοῦντα καὶ διώκειν, ὁρῶς ἐθίζοντο τοῦ νομοθέτου τοὺς πολίτας ὥστερ ἐνὸς μέρους συναισθάνεσθαι καὶ συναλγεῖν ἀλλήλοις. τούτῳ δὲ τῷ νόμῳ συμφαινόντα λόγον αὐτοῦ διαμνημονεύουσιν. ἐρωτηθεὶς γάρ, ὡς ἔοικεν, ἦτις οἰκεῖται κάλλιστα τῶν πόλεων, "ἐκέλευεν," εἶπεν, "ἐν ᾗ τῶν ἀδικουμένων οὐχ ἦττον οἱ μὴ ἀδικοῦμενοι προβάλλονται καὶ κολάζουσι τοὺς ἀδικοῦντας."

ἢ εἰς τὸ δικαστήριον ἔφεσις] The constr. changes from the substantival use of the infinitive to an ordinary substantive. The eulogists of Solon, referred to in *Pol.* ii 12, 1273 b 41, recognise the δικαστήριον as the element which is δημοτικόν in his constitution; while his critics describe him as having subordinated the oligarchical element, κύριον ποιήσαντα τὸ δικαστήριον πάντων, κληρωτῶν δν. Aristotle himself subsequently mentions as one of the two elements in the necessary modicum of political power assigned to the people that of εὐθύνειν, i.e. calling the officials to account in the law-courts, μὴδὲ γὰρ τούτου κύριος ὢν ὁ δῆμος δοῦλος δν ἔη καὶ πολέμιος. Plut. Sol. 18 (after saying of the θῆτες that τῷ συνεκκλησιάζειν καὶ δικάζειν μόνον μετεῖχον τῆς πολιτείας) adds: δι κατ' ἀρχαῖς μὲν οὐδὲν, ὕστερον δὲ παμμέγεθες ἐφάνη τὰ γὰρ πλείστα τῶν διαφόρων ἐνέπιπτεν εἰς τοὺς δικαστάς. καὶ γὰρ ὅσα ταῖς ἀρχαῖς ἔταξε κρίνειν, ὁμοίως καὶ περὶ ἐκείνων εἰς τὸ δικαστήριον ἐφέσεις ἔδωκε τοῖς βουλευμένοις. Grote (ii 325) holds that the popular dicasteries were not established by Solon, a view which is not in accordance with the text. He also points out (p. 326) that, although Solon laid the foundation of the Athenian democracy, his institutions were not democratical (as compared with those of Cleisthenes and Pericles). The dicasteries doubtless became more highly developed in later times, but of their existence in Solon's time for certain purposes, such as the control of officials, there can be no reasonable doubt. See Duncker, *Gesch. d. Alt.* vi 179, 180.

πολιτείας. ἔτι δὲ καὶ διὰ τὸ μὴ γεγρ[ά]φθ[αι το]ύς νόμους ἀπλῶς 2
 μηδὲ σαφῶς, ἀλλ' ὥσπερ ὁ περὶ τῶν κλήρων καὶ ἐπικλήρων,
 ἀν[ά]γκ[η] πο[λλ]ὰς ἀμφισβητήσεις γίνεσθαι καὶ πάντα βραβεύειν
 10 καὶ τὰ κοινὰ καὶ τὰ ἴδια τὸ δικα[στ]ήριον]. οἴονται μὲν οὖν τινὲς
 ἐπίτηδες ἀσαφεῖς αὐτὸν ποιῆσαι τοὺς νόμους, ὅπως ἢ τῆς κρίσεως
 [ὁ δ]ή[μος κ]ύριος. οὐ μὴν εἰκός, ἀλλὰ διὰ τὸ μὴ δύνασθαι καθόλου

9 πολλὰς Paton, Blass, K-W, K³; ἦν τὰς K¹; ἦν πολλὰς H-L sed deest spatium.
 10 τὸ δικαστήριον K-W, K³, papyri lectio incerta (B): τὰ δικαστήρια K¹ (H-L), sed
 propter tot generis neutri vocabula pluralia in contextu cumolata numerus singularis
 videtur elegantior. 11 ἢ K³ (B); τι K-W (in papyro utrumvis legi potest). ὅπως
 τι τῆς κρίσεως ὁ δῆμος ἢ κύριος K-W¹; 'aut ti delendum aut ὅπως ἢ τῆς κρίσεως ὁ
 δῆμος κύριος (B) legendum' K-W²; ὅπως τῆς κρίσεως ὁ δῆμος ἢ κύριος H-L. 12—
 13 περιλαβεῖν etiam ante καθόλου scriptum et deinde deletum; πανταχοῦ sine
 causa legendum suspicantur H-L.

§ 2. ἀπλῶς...σαφῶς] Dem. *Lept.* § 93, ἀπλᾶ καὶ σαφῆ, Isaeus II § 32, ἀπλᾶ καὶ γνώριμα μαθεῖν, Dem. 24 § 68, ἀπλῶς καὶ πᾶσι γνωρίμως γράφθαι. In all these passages perspicuity is described as a merit in legislative enactments. Here the obscurity of some of Solon's laws is said to have increased the powers of the people as interpreters of the law in the dicasteries.

ὁ περὶ τῶν κλήρων] The reference is to the law of intestate succession quoted in Dem. *Macart.* 43 § 51, p. 1067. Parts of this law are paraphrased or expressly cited in Isaeus II §§ 1, 2, and 7 § 20. The law of the ἐπικλήρος is quoted in Dem. 43 §§ 16, 54, and 46 § 22, ending with the words ἀνεπίδικον μὴ ἐξεῖναι ἔχειν μήτε κλήρον μήτε ἐπικλήρον. This law is referred to in Isaeus 3 §§ 64, 74 and elsewhere. Both laws may be fairly ascribed to Solon, and students of Isaeus will admit the ambiguity of certain clauses in them. The greater part of Plutarch's *Sol.* 20 is devoted to details of the law of the ἐπικλήρος, but the points there touched upon are curious rather than obscure. In the time of Aristophanes the decision of rival claims to the hand of an 'heirress' was one of the most cherished privileges of the Athenian dicast (*Vesp.* 583—587). Cf. *inf.* 42 § 5, περὶ κλήρον καὶ ἐπικλήρον, 50 § 6 ἐπικλήρον κακώσεως, and κλήρων καὶ ἐπικλήρων ἐπιδικασίας, also 43 § 4.

ἀνάγκη] sc. ἦν. *Rhet.* I § 8 ἀνάγκη ἐπὶ τοῖς κριταῖς καταλείπειν, *Eth.* 1137 b 15, ἀνάγκη μὲν εἰπεῖν καθόλου, μὴ οἷόν τε δὲ ὁρθῶς.

οἴονται κτλ.] Plut. *Sol.* 18, λέγεται δὲ καὶ τοὺς νόμους ἀσαφέστερον γράψαι καὶ πολλὰς ἀντιλήψεις ἔχοντας αὐξῆσαι τὴν τῶν δικαστηρίων ἰσχύν· μὴ δυναμένους γὰρ

ὑπὸ τῶν νόμων διαλυθῆναι περὶ ὧν διεφέροντο συντίβαιναι δεῖ δεῖσθαι δικαστῶν καὶ πᾶν ἀγεῖν ἀμφισβήτημα πρὸς ἐκείνους, τρόπον τινα τῶν νόμων κυρίους ὄντας. 'It is hardly just to Plutarch' (says Grote) 'to make him responsible for the absurd remark that Solon rendered his laws intentionally obscure... We may well doubt whether it was ever seriously intended even by its author, whoever he may have been' (Grote, c. 11, ii 330). We now see that Plutarch quotes from the text, where the authors of this opinion are not specified. The opinion is only quoted to be rejected. The real cause for the obscurity of some of Solon's laws is introduced with the words οὐ μὴν εἰκός κτλ.

διὰ τὸ μὴ δύνασθαι (sc. Σόλωνα) καθόλου περιλαβεῖν τὸ βέλτιστον] 'owing to his being unable to attain the perfection of legislative expression while drawing up his laws in general terms.' It is characteristic of a legislator to deal with τὸ καθόλου, leaving the dicast to deal with the details. *Rhet.* I § 7, ἡ μὲν τοῦ νομοθέτου κρίσις οὐ κατὰ μέρος ἀλλὰ περὶ μελλόντων τε καὶ καθόλου ἐστίν, 13 § 13, συμβαίνει δὲ τοῦτο (τὸ ἐπιεικὲς) τὰ μὲν ἀκόντων τὰ δὲ ἐκόντων τῶν νομοθετῶν, ἀκόντων μὲν ὅταν λάθῃ, ἐκόντων δ' ὅταν μὴ δύνανται διορίσαι, ἀλλ' ἀναγκαῖον μὲν ἢ καθόλου εἰπεῖν, μὴ ἢ δὲ, ἀλλ' ὥς ἐπὶ τὸ πολὺ. *Eth. Nic.* v 14, 1137 b 15, *Pol.* iii 11, 1282 b 2, (those in authority must be) κυρίους περὶ ὧν ἐξαδυνατούσι οἱ νόμοι λέγειν ἀκριβῶς διὰ τὸ μὴ ῥάδιον εἶναι καθόλου δηλῶσαι περὶ πάντων, *Pol.* 1268 b 39, 1269 a 9, 1286 a 10.

περιλαβεῖν, here 'to define strictly, determine in express words, draw up in a legal form' (L and S), Plut. *Leg.* 823 B, θήρα

περιλαβεῖν τὸ βέλτιστον· οὐ γὰρ [δ]ί[κ]αιον ἐκ τῶν νῦν γυγνομέ-
νων ἀλλ' ἐκ τῆς ἄλλης πολιτείας θεωρεῖν τὴν ἐκείνου βούλησιν.

10. ἐν [μὲν οὖν τ]οῖς νόμοις ταῦτα δοκεῖ θείναι δημοτικά,
πρὸ δὲ τῆς νομοθεσίας ποιῆσαι τὴν τῶν χρεῶν ἀποκοπήν,
καὶ μετὰ ταῦτα τὴν τε τῶν μέτρων καὶ σταθμῶν καὶ τὴν τοῦ
2 νομίσματος αὔξησιν. ἐπ' ἐκείνου γὰρ ἐγένετο καὶ τὰ μέτρα μείζω 4

Χ 2 'aut ποιῆσαι fuit aut ποιήσας, certe non ποιήσασθαι' K-W; ποιήσας K-W, B;
ποιῆσαι H-L. 4 ΔΥΣΗCIN littera Ξ incerta (K), non ΕΠΑΥΞΗCIN (K-W) nec ΚΑΤΑ-
CΤΑCIN (H-L). ΜΕΙΖΩ (K, K-W), non ΜΕΙΩ (H-L).

γὰρ πάντοτε τι πρᾶγμα ἐστὶ, περιειλημ-
μένον ὀνόματι νῦν σχεδὸν ἐνί. *Ar. Eth. Nic.* v 4, 1130 b 3, ἐπὶ ὀνόματι περιλαβεῖν
(embrace, include) ταῦτα πάντα, iii 12,
1117 b 21, τίπῃ περιλαβεῖν. *Pol.* iii 16,
1287 b 19, τὰ μὲν ἐνδέχεται τοῖς νόμοις
περιληφθῆναι, vi 5, 1320 a 1, νόμοι οὐ
περιλήφονται τὰ σφόδρα τὰς πολιτείας.

οὐ γὰρ δίκαιον—βούλησιν] One of the
writer's favourite methods of reconstruction
is 'inference from the present to the
past, from existing circumstances to their
presumable antecedents, from a given
state of institutions to a former condition
of the same.' We here find 'part of
a formula for the critical application of
this method,' or rather for the limitations
under which it may be applied (Mr
Macan, *J. H. S.*, xii 37 f.).

Χ § 1. πρὸ δὲ τῆς νομοθεσίας κτλ.]
Solon's general legislation falls between
the *σεισάχθεια* and the alteration of the
currency. There is thus no direct con-
nexion between the change in the coinage
and the famous 'disburdening' ordinance.
It was not by a modification of the
monetary standard that Solon relieved
the oppressed debtors; it was by an
absolute cancelling of the debt. The
opposite view was held by Androtion,
whose opinion is quoted by Plutarch
only to be rejected: *Sol.* 15, καίτοι τινὲς
ἐγραψαν, ὡς ἐστὶν Ἀνδροτίων, οὐκ ἀποκοπὴ
χρεῶν, ἀλλὰ τόκων μετρίωτη κομισθέντας
ἀγαπῆσαι τοὺς πένοντας, καὶ σειςάχθειαν
ὀνομάζει τὸ φιανθρώπειμα τοῦτο καὶ τὴν
ἑμὰ τούτῃ γενομένην τῶν τε μέτρων ἐπαύ-
ξησιν καὶ τοῦ νομίσματος τιμὴν. ἑκατὸν
γὰρ ἐποίησε δραχμῶν τὴν μᾶν πρότερον
ἑβδομηκοντα καὶ τριῶν ὄσων, ὥστ' ἀριθμῷ
μὲν ἴσον, δυνάμει δ' ἑλαττον ἀποδιδόντων,
ὠφελίσθαι μὲν τοὺς ἐκτίοντας μεγάλα
μηδὲν δὲ βλάπτεσθαι τοὺς κομιζόμενους. οἱ
δὲ πλείστοι πάντων ὁμοῦ τῶν συμβολαίων
ἀναίρεσιν γενέσθαι τὴν σειςάχθειαν, καὶ
ταῦτος συνάδει μᾶλλον τὰ ποιήματα.

τῶν μέτρων καὶ σταθμῶν καὶ... τοῦ

νομίσματος αὔξησιν] 'the augmentation
of the measures and weights and of the
currency.' *Andoc. De Myst.* 83 (the de-
cree of Tisamenus), πολιτεύεσθαι Ἀθηναίους
κατὰ τὰ πάτρια, νόμοι δὲ χρῆσθαι τοῖς
Σόλωνος καὶ μέτροις καὶ σταθμοῖς. It
was held by Boeckh (*Metrolgie*, 1838, xv
§ 2) that Solon 'not only debased the
coin but also altered the weights and
measures.' Grote dissented from this
opinion on the latter point, giving his
reasons in the *Classical Museum*, i p. 25:
'I believe that the statement of Andro-
tion... has no reference to the *medimnus*
and *metretres*, and that we cannot even
deduce from it the vague inference... that
Solon made some new arrangement of the
measures.' He interprets the words τῶν
μέτρων ἐπαύξησιν (Plut.) of the monetary
standard alone, referring them to the 'in-
creased number of drachmae, which every
mina and every talent were now made to
contain.' He even adds that 'we know
positively that Solon did not meddle with
the weights.' He holds that it was 'for
the express purpose of affording relief to
debtors, that Solon degraded the mone-
tary standard, and maintains that Solon
'would not choose such a moment for re-
arranging the liquid and dry measures.'
The present passage conclusively confirms
the opinion held by Boeckh.

τὴν τοῦ νομίσματος αὔξησιν] refers
to the fact that 73 old Aeginetan drach-
mas were replaced by 100 Attic drachmas,
so that the same amount of silver was
represented by a larger number of coins.

§ 2. τὰ μέτρα μείζω τῶν Φειδωνέων]
Hdt. vi 127, Φειδῶνος τοῦ Ἀργεῖου τυρά-
νου... τοῦ τὰ μέτρα ποιήσαντος τοῖς Πέλο-
ποννησίοις. The date of Peision is dis-
puted. He is sometimes placed in Ol.
8=B.C. 748 (Pausan. vi 22, 2, followed by
Unger, Duncker, and Busolt, i 140 n);
sometimes (by altering the text of Pau-
sanias) in Ol. 28=B.C. 668 (Weissenborn,
followed by Curtius). *Hdt. l.c.* mentions a

5 τῶν Φειδωνείων, καὶ ἡ μὲν πρότερον [ἀγο]υσα παρα[πλήσι]ον
ἐβδομήκοντα δραχμὰς ἀνεπληρώθη ταῖς ἑκατόν. || ἦν δ' ὁ ἀρχαῖος [Col. 4.]

5 ἑλκουσα K-W, H-L, K²; ἀγουσα B; aut ἑλκουσα aut ἀγουσα, quorum hoc usitatus sit, legendum putat Wyse; cf. c. 51 § 3 τὸν σταθμὸν ἀγουσας. παρα[πλήσι]ον K; παρὰ [μικρὸν] K-W; τρεῖς καὶ H-L; τὰς γ' καὶ B. 6 ταῖς: τόν' els H-L; els (hiatu admissio) coniecerat Mahaffy (*Athenaeum*, 1891, p. 344), sed numerum omnibus notum indicat articulus.

son of Pheidon among the suitors of the daughter of Cleisthenes, despot of Sicyon, which would make Pheidon's date shortly before 600 B.C. The first of these dates is half a century before the beginning of Greek coinage, which may be placed about B.C. 700 (Busolt, i 355). The earliest authority for the statement that silver *coins* were first struck by Pheidon at Aegina is Ephorus, quoted by Strabo p. 376, 'Εφορος δ' ἐν Ἀργίῳ ἀργυρὸν πρῶτον κοπήναι φησὶν ὑπὸ Φειδῶνος, cf. id. 358, μέτρα ἐξέυρε τὰ Φειδῶνια καλούμενα καὶ σταθμοὺς καὶ νόμισμα κεχαραγμένον τὸ τε ἄλλο καὶ τὸ ἀργυροῦν (cf. Busolt, i 144 n). This last is the only passage which describes Pheidon as an inventor of *weights*; and even here the epithet 'Pheidonian' is applied to the *μέτρα* alone. The *Marmor Parium*, ep. 30, connects him with silver coinage as well as with a reform in the measures of capacity: Φεῖδων ὁ Ἀργεῖος ἐδήμεισε τὰ μέτρα...καὶ ἀνεσκεύασε ('reformed them') καὶ νόμισμα ἀργυροῦν ἐν Ἀργίῳ ἐποίησεν. The Etymologicum Magnum, s. v. ὀβελίσκος, mentions his coinage, but implies that he made no change in standards of weight: πάντων δὲ πρῶτος Φεῖδων Ἀργεῖος νόμισμα ἔκοψεν ἐν Ἀργίῳ καὶ δοῦν τὸ νόμισμα καὶ ἀναλαβὼν τοὺς ὀβελίσκους (spits, or small bars, of metal), ἀνέθηκε τῇ ἐν Ἀργεῖ Ἡρᾷ, ἐπεὶ δὲ τότε οἱ ὀβελίσκοι τὴν χεῖρα ἐπλήρου, τούτεστι τὴν δράκα (the grasp), ἡμεῖς, καίπερ μὴ πληροῦντες τὴν δράκα τοῖς ἐξ ὀβολοῖς, δραχμὴν αὐτὴν λέγομεν παρὰ τὸ δράσασθαι. ὅθεν ἐτι καὶ νῦν λέγομεν ὀβολοστᾶτην τὸν τοκιστὴν, ἐπεὶ σταθμοῖς [τοῖς ὀβελίσκοις] addit Orion p. 118 'qui Heraclidis Pontici auctoritate utitur,' Gaisford) παρεδίδουν οἱ ἀρχαῖοι. The text mentions him solely in connexion with *μέτρα*, or 'measures of capacity,' and not in connexion with coinage or weights, the present section dealing in order with three topics (1) measures, (2) coinage, (3) weights, which must not be confounded with one another. Similarly, in another of the *πολιτεῖαι*, that of Argos (Rose, Frag. 480, 3, Pollux 10, 179) *μέτρα* alone are mentioned in connexion with Pheidon; εἴη δ' ἂν καὶ Φεῖδων

τι ἀγγεῖον εἰληρὸν ἀπὸ τῶν Φειδωνίων μέτρων ὡνομασμένον, ὑπὲρ ὧν ἐν Ἀργεῖ πολιτεῖα Ἀριστοτέλης λέγει.

The present passage tells us for the first time that the Pheidonian measures of capacity were smaller than the corresponding Attic measures. The Pheidonian scale of measures may be identified with the Babylonian, and the ratio of the Pheidonian to the Solonian measures may accordingly be 12 : 13. Thus, in liquid measure, the Solonian *μετρητής* is already known to have contained about 39 *litres*, or 8½ gallons: the Pheidonian *μετρητής* would therefore contain about 36 *litres*, or rather less than 8 gallons, and be identical with the Babylonian *erba* and the old Egyptian *artabe*. Similarly, in dry measure, the Solonian *μέδιμνος* contained about 52 *litres*, or about 12 gallons; and the Pheidonian, 48 *litres*, or about 11 gallons (Hultsch, *Neue Jahrb. für Philologie*, 1891, pp. 263—4). For the opinion held hitherto, that the Pheidonian measures were larger than the Solonian, cf. Duncker, *Hist. Gr.* Bk II, c. ii, vol. ii 26 E. T.

ἡ μὲν—ἑκατόν] According to the statement of Andron in Plut. *Sol.* 15, Solon, in introducing a new standard for silver coin, lowered the standard to the extent of 27 per cent. 100 drachmas of the new standard contained no more silver than 73 of the old. Thus the new mina was equivalent in weight to 73 un-reduced drachmas. As 73 : 100 :: 100 : 137; hence, 100 drachmas of the old standard would be equivalent in weight to 137 of the new. 73 to 100 is precisely the proportion between the Attic drachmas of 67½ *grs.* and average Aeginetan drachmas of rather over 90 *grs.* (73 : 100 :: 67½ : 92½), the Attic mina being to the Aeginetan as 100 : 137 (Head's *Historia Numorum*, p. 309). If, however, instead of taking Aeginetan coins of average weight, we take those of actual maximum weight, the stater of two drachmae weighs 194 *grs.* The corresponding Attic coin weighs 135 *grs.* Then as 194 : 135 :: 100 : 69½. Hence the number of drachmas of the Aeginetan

χαρακτήρ διδραχμον. ἐποίησε δὲ καὶ σταθμὰ πρὸς τ[ὸ] νόμισμα 7

τ χαρακτήρ διδράχμον <βοῦς> ? Wyse, coll. Poll. ix 60; χαρακτήρ <βοῦς καὶ τὸ νόμισμα> διδραχμον J B Mayor. σταθμὰ κ-ω, κ², β; σταθμὸν κ¹; πρὸς τὸν σταθμὸν τὸ νόμισμα ? H-L.

standard, which would be equivalent in weight to 100 Attic drachmas, would be about 69½. Thus, according as we take average or maximum weights, Mr Kenyon's text, *παραπλήσιον ἐβδομήκοντα δραχμάς*, will mean either 73 or 69½.—The reading proposed by Blass gives us exactly 73 drachmas.

The new standard introduced by Solon in place of the Aeginetan has been convincingly proved by Mommson (*Röm. Münzwesen*, p. 43 sq., *Mon. Rom.* ed. Elacas, i 29 sqq., 73 sq.) to have been the Euboic, and henceforth Euboean coins would circulate freely in Attica, side by side with the new Attic money (Head, p. 310, cf. 302 and xxxviii—xlii). Thus Solon's reform of the currency was not necessarily due to economic reasons connected with the debts of the poorer citizens. It had a commercial object and was intended to facilitate trade with the neighbouring island of Euboea (especially with Chalcis and Eretria), and with other Greek cities (for example, Cyrene), where the Euboic standard prevailed. It would also promote trade with Corinth, where a similar standard was in use (Busolt, i p. 525), and with the Greek colonies in Chalcidice and Sicily (Köhler, in *Mittheil. d. d. arch. Inst.* 1885, x 151—157). It has further been suggested by Mr R. S. Poole (*Dict. of the Bible*, art. 'Weights and Measures') that the new Solonian standard was borrowed from Egypt. The Egyptian unit of weight was 140 grains, and the Solonian didrachm weighed 135 grains. Thus, whether the standard was actually borrowed from Egypt or Euboea, the Solonian coinage would facilitate intercourse with Egypt as well as with the countries where the Euboic standard was in use.

In this connexion it is interesting to notice that, after reforming the currency, and thus facilitating trade with countries employing either the Euboic or the Egyptian standard, Solon set out for Egypt, where he stayed for ten years, one of his avowed objects being the pursuit of commerce.

ἀνεληλυθὼν] 'was raised to the full number of a hundred drachmas.'

ἥν-διδραχμον] 'the primitive type of coin was the two-drachma piece.' χαρακτήρ means (1), as here, τὸ κεχαραγμένον,

that which has a stamp impressed upon it, cf. Plato, *Politicus*, 289 B, ἡ τοῦ νομισματος ἰδέα καὶ σφραγίδων καὶ παντὸς χαρακτήρος: (2) the stamp itself, as in *Ar. Pol.* i 9, 1257 a 40 χαρακτήρα ἐπιβαλόντων, ὡς ἀπολύσει τῆς μετρήσεως αὐτοῦ: ὁ γὰρ χαρακτήρ ἐτέθη τοῦ πόντου σημεῖον. *Oecon.* ii 5 (of Hippias), τὸ δὲ νόμισμα τὸ ἐν Ἀθηναίοις ἀδόκιμον ἐποίησεν τάξας δὲ τιμὴν ἐκέλευσε πρὸς αὐτὸν ἀνακομίζειν· συνεληθόντων δὲ ἐπὶ τῷ κῶψαι ἕτερον χαρακτήρα ἐξέδωκε τὸ αὐτὸ ἀργύριον.

Before the time of Solon, the only money current in Attica, as well as in Boeotia and Peloponnesus, seems to have been the Aeginetan didrachm of about 194 grains; but there are no Athenian coins extant of Aeginetan weight. Thus, apart from mere tradition (*Plut. Thes.* 25 ἔκοψε δὲ καὶ νόμισμα βοῶν ἐγχαράξας), there is no proof of any coins having been struck at Athens before Solon (Head, p. xlii). The text must therefore refer to the old Aeginetan didrachms in circulation in Attica before the time of Solon. These coins had on the obverse a tortoise with a plain shell and a row of dots down the middle of its back; and, on the reverse, an incuse square divided into eight triangular compartments, of which four or more are deeply hollowed out (Head, *l.c.*, p. 332, fig. 220).



From the time of Solon the standard coin of Athens was the tetradrachm of the



full Euboic weight of 270 grains. The common type is a head of Athena of rude

8 τ[ρ]εῖς καὶ ἐξήκοντα μνᾶς τὸ τάλαντον ἀγούσας, καὶ ἐπιδιενε-
μήθησαν [αἱ] μναὶ τῷ στατήρι καὶ τοῖς ἄλλοις σταθμοῖς.

8 *treis* καὶ *seclisut* K; ante *ἐβδομήκοντα* (v. 6) *posuerunt* H-L, alii; *defendit* Ridgeway, *retinuerunt* K-W, B.

archaic style with large prominent eye, wearing a round earring and close-fitting crested helmet: on the obverse is an owl with head facing and wings closed; also an olive-spray and the letters Α Θ Ε (*ib.* p. 310, fig. 209). After the time of Solon, coins of Eretria, stamped with the head of a bull, together with other Euboean coins, may have circulated in Attica, side by side with the Solonian 'owls.' But there is no authority earlier than Philochorus (in the generation after Aristotle), for stating that the early didrachms, which preceded the Solonian 'owls,' were impressed with the figure of an ox (Head, *l.c.* p. 309). Cf. Schol. on Arist. *Av.* 1106, ἡ γλαυὺ ἐπὶ χαράγματος ἦν τετραδράχμου, ὡς Φιλόχορος· ἐκλήθη δὲ τὸ νόμισμα τὸ τετραδράχμον τότε [ἡ] γλαυὺ. ἦν γὰρ γλαυὺ ἐπίσημον καὶ πρῶτον Ἀθηναῖς, τῶν πρότερον διδράχμων ὄντων ἐπίσημον δὲ βοῦν ἔχοντων. Pollux, ix 60, διδράχμων· τὸ παλαιὸν δὲ τοῦτ' ἦν Ἀθηναίοις νόμισμα, καὶ ἐκαλεῖτο βοῦς, ὅτι βοῦν εἶχεν ἐντετυπωμένον. We cannot, however, ignore the fact that archaic coins of Euboea, bearing the bull's head, have repeatedly been found in Attica (cf. Koehler, *Mittheilungen*, ix 357—9).

ἐποίησε—ἀγούσας] 'He also instituted standard weights corresponding to the coinage, 63 minae weighing the talent,' *i.e.* 'at the rate of 63 minae to the weight of a talent.' Cf. c. 51, τὸν σταθμὸν ἀγούσας ὅσον ἂν αὐτοὶ τάξωσι.

Much difficulty has been felt respecting these 63 minae, on the ground that, in every standard, a talent invariably consists of 60 minae. Thus it is ingeniously suggested by Mr Kenyon and others that *treis* καὶ 'was written as an explanation of παραπλήσιον above, and was subsequently inserted in the text in the wrong place,' and this suggestion has been regarded with considerable favour. But the text, as it stands, admits of a ready explanation if we regard it as stating the *weight* of the Solonian currency as compared with the average weight of the corresponding coins of the Euboic standard.

The average weight for the Solonian silver coinage was slightly higher than that of the Euboic. Solon made his new talent consist of 63 old minae of the average Euboic weight; and this talent was, like

all other talents, divided into 60 minae. As the post-Solonian mina weighed about 6750 grains, the talent must have weighed 60 times that amount, or 405,000 grains. To obtain the weight of the mina superseded by the Solonian mina, we divide by 63 and the result is 6428½ grains. A stater, or fiftieth part of this, is 128½ grains. In other terms, 63 : 60 :: 135 : 128½. This is in sufficiently close agreement with the actual weights of the coins of Euboea, as compared with those of Attica. The two-drachma piece of the former weighs 130 grains (only one grain and three-sevenths more than the weight above mentioned); that of the latter, 135 grains. The substance of this explanation is due to Prof. Ridgeway, who also shews that, while the Aeginetan standard was used for *silver*, the Euboic was used for gold and silver, being in fact the only standard used for *gold*. Solon framed for the coinage of Athens a standard founded on that already in use for all transactions in gold. Possibly to adjust his silver currency to the standard gold unit, he augmented the silver standard, making 63 old minas go to his new talent of 60 minae. Thus, while about 70 Aeginetan drachmas are equal in weight to 100 Attic drachmas, rather less than 63, or, strictly speaking, 62½ Euboic minas are equal in weight to 60 of the Solonian standard.

The above note refers to the *average* weight of coins of the Euboic standard. In the case of coins of *full* weight, that standard is practically identical with the Solonian, the staters of *both* weighing 135 grains (see Head's *Brit. Mus. Cat. of Coins of Corinth*, 1889, p. xix).

ἐπιδιενεμήθησαν] 'The minae were divided into fractions consisting of (*lit.* 'were apportioned out by') the *stater* and the other weights.' ἐπιδιανέμω, "'to distribute besides,' Philo 2, 651; τῶι τι Josephus, *B. J.* 2, 6, 3" (L and S).

στάτηρ is the general term for a standard unit of weight and (more frequently) of money. It here denotes the weight of a fiftieth part of a mina. The weights here meant are probably coin-weights alone, market-weights being apparently left out of consideration. Solon made no change in the *weights used in com-*

11. διατάξας δὲ τὴν πολιτείαν ὥστε εἶρηται τρόπον, ἐπειδὴ προσιόντες αὐτῷ περὶ τῶν νόμων ἠνώχλουν, τὰ μὲν ἐπιτιμῶντες τὰ δὲ ἀνακρίνοντας, βουλόμενος μήτε ταῦτα κινεῖν μήτ' ἀπεχθάνεσθαι παρῶν, ἀποδημίαν ἐποίησατο κατ' ἐμπορί[αν] ἅμα καὶ θεωρίαν εἰς Αἴγυπτον, [εἰπ]ὼν ὡς οὐ[χ ἤξ]ει δέκα ἐτῶν οὐ γὰρ 5 οἶεσθαι δίκαιον εἶναι [το]ύς νόμους ἐξηγεῖσθαι παρῶν ἀλλ' ἕκαστον 2 τὰ γεγραμμένα ποιῆσαι. ἅμα δὲ καὶ συνέβαιν[εν] αὐτῷ τῶν τε γνωρίμων διαφόρους γεγενῆσθαι πολλοὺς διὰ τὰς τῶν χρεῶν ἀποκοπά[ς, κ]αὶ τὰς στάσεις ἀμφοτέρας μεταθέσθαι διὰ τὸ παρὰ δόξαν αὐτοῖς γενέσθαι τὴν κατάστασιν. ὁ μὲν γὰρ δῆμος φέτο 10

ΞΙ 3 ΕΝΩΧΛΟΥΝ (κ¹, κ-W, B): ἠνώχλουν J B Mayor (H-L, κ²); verbum in codicibus optimis augmentum duplex habere constat. 3 ΚΕΙΝΕΙΝ. 5 εἰπὼν ὡς οὐχ ἔξει Wessely (κ³, B); λέγων ὡς οὐχ ἔξει coniecerat van Leeuwen; [περὶ Καίρωντος] [πῶλ]ει κ¹. 6 δίκαιος Jackson (H-L). 7 ποιῆσαι K, H-L: ποιεῖ K-W, B.

K...CTACIN

10 THNIC ΑΝΤΑΣΙΝ: τὴν οὖσαν κατάστασιν κ¹; τὴν κατάστασιν K-W, B; τὴν οὖσαν τάξιν H-L.

TESTIMONIA. 2—5 Heraclidis Epitoma, Rose, Frag. 611, 3³, ὡς δὲ διώχλουν (codd.; δ' ἐνώχλουν K-W) αὐτῷ τιμὴς περὶ τῶν νόμων, ἀπεδήμησεν εἰς Αἴγυπτον.

merce, the Aeginetan mina being still retained unaltered (see Dr Percy Gardner on *Pondera*, in Smith's *Dict. Ant.* ii p. 449 b).

XI § 1. διατάξας—ποιῆσαι] Plut. *Sol.* 25, ἐπεὶ δὲ τῶν νόμων εἰσενεχθέντων ἔνιοι τῷ Σόλῳ καθ' ἑκάστην προσήσαν ἡμέραν ἐπανοῦντες ἢ φέγοντες ἢ συμβουλευόντες ἐμβάλλειν τοῖς γεγραμμένοις ὅ τι τύχοιεν ἢ ἀφαιρεῖν, πλείστοι δ' ἦσαν οἱ πυνθανόμενοι καὶ ἀνακρίνοντας καὶ κελεύοντες αὐτὸν ὅπως ἕκαστον ἔχει καὶ πρὸς ἣν κείται διάνοιαν ἐπεκδιδάσκειν καὶ σαφηνίζειν, ὁρῶν, ὅτι ταῦτα καὶ τὸ πράττειν ἄτοπον καὶ τὸ μὴ πράττειν ἐπιφθονον, ὅπως δὲ ταῖς ἀπορίας ὑπεκοτῆραι βουλόμενος καὶ διαφυγεῖν τὸ δυσάρεστον καὶ φιλαίτιον τῶν πολιτῶν (ἐργμασι γὰρ ἐν μεγάλοις πᾶσι ἀδοῦν χαλεπῶν, ὡς αὐτὸς εἰρηκε), πρόσχημα τῆς πλάνης τὴν ναυκληρίαν ποιησάμενος ἐξέπλευσε δεκαετὴ παρὰ τῶν Ἀθηναίων ἀποδημίαν αἰτησάμενος. ἤλπιζε γὰρ ἐν τῷ χρόνῳ τούτῳ καὶ τοῖς νόμοις αὐτοῖς ἔσεσθαι συνθήκας. πρῶτον μὲν οὖν εἰς Αἴγυπτον ἀφίκετο καὶ διέτριψεν, ὡς αὐτὸς φησι, Νείλῳ ἐπὶ προχοῇσι Κανωβίδος ἐγγύθεν ἀκτῆς.

ἠνώχλουν] This form is found in Xen. *Cyr.* v 3, 56, *Isocr.* 5 § 53, *Aeschin.* i § 58, *Dem. Lacr.* 16, *Olymp.* 19. In *Lacr.* 30 the MSS vary between ἐνώχλουμαι (Σ and other MSS), ἐνοχλούμεν (*Aug.* 1), ἠνωχλούμεν (*υἱός*). The *Rhet. ad Alex.* 1445 b 2 has ἠνώχλησαν. In *Aeschin.* 3 § 44 the MSS vary between

ἠνωχλεῖτο (Bekker, Franke, Schultz), and ἐνωχλεῖτο. Voemel, *Proleg. Dem.* § 67, quotes Photius: ἠρείχετο καὶ ἠνώχλει... κοινὸν τῶν Ἀττικῶν ἰδιῶμα. See also Lobeck's *Phrygischus*, p. 154.

ἀποδημίαν ἐποίησατο] c. 13 *init.* δέκα ἐτῶν] For the fact cf. Hdt. i 29, ἀπεδήμησε ἔτεα δέκα. For the construction, cf. *ib.* vi 58, ἐπεὶ δὲ θάψωσι, ἀγορὴ δέκα ἡμερῶν οὐκ ἵσταται σφί. Xen. *Anab.* i 7, 18, οὐ μαχεῖται δέκα ἡμερῶν. Plat. *Gorg.* 516 D, ἵνα αὐτοῦ δέκα ἐτῶν μὴ ἀκούσειαν τῆς φωνῆς (of Cimon's exile).

οὐ γὰρ οἰοῦσθαι δίκαιον εἶναι—παρῶν] The nom. c. inf. after δίκαιον εἶναι may perhaps be defended (1) by Dem. 15 § 16, ὦν οὐδενὸς αὐτοὶ δοῦναι δίκην δίκαιον εἶναι (where, however, several editors prefer δίκαιοι εἶναι, which involves a *hiatus*); (2) by Dem. *Prooem.* p. 1439, 14, ἐγὼ μὲν δὴ δίκαιον ὑπεῖλθα πρώτων ἀπάντων αὐτὸς εἰπεῖν. In the text the construction after δίκαιον εἶναι is apparently identical with that often found after δεῖν (Rehdantz, *Ind. Dem.* s. v. *οἰοῦσθαι*).

§ 2. ἅμα δὲ καὶ κτλ.] Plut. *Sol.* 16 *init.*, ἤρесе δ' οὐδεντέρους, ἀλλ' ἐλύπησε καὶ τοὺς πλουσίους ἀνελὼν τὰ συμβόλαια καὶ μάλλον ἐπὶ τοὺς πένητας, ὅτι γῆς ἀναδασμὸν οὐκ ἐποίησεν ἐπιλασας αὐτοῖς.

μεταθέσθαι] 'changed their opinion with regard to him,' i.e. 'were alienated from him.'

ὁ μὲν γὰρ δῆμος κτλ.] Plut. *Sol.* 14, Φαρίας ὁ Δέσβιος αὐτὸν ἱστορεῖ τὸν Σόλωνα

πάντ' ἀνάδαστα ποιήσῃεν αὐτόν, οἱ δὲ γνώριμοι [πά]λιν ἢ τὴν αὐτὴν τάξιν ἀποδώσῃεν ἢ [μικρὸν] παραλλάξ[ειν]. ὁ δὲ ἀμφοτέροις ἡναντιώθη, καὶ ἐξὸν αὐτῷ μεθ' ὁποτέρων ἐβούλετο συστά[ντι] τυραννεῖν, εἴλετο πρὸς ἀμφοτέρους ἀπεχθέσθαι σώσας τὴν πατρίδα
15 καὶ τὰ βέ[λτι]στα νομοθετήσας.

12. ταῦτα δ' ὅτι τοῦτον <τὸν> τρόπον ἔσχευ οἱ τ' ἄλλοι συμφωνοῦσι πάντες, καὶ αὐτὸς ἐν τῇ ποιήσει μέ[μν]ηται περὶ αὐτῶν ἐν τοῖσδε

5 δῆμῳ μὲν γὰρ ἔδωκα τόσον γέρας ὅσσον ἀπαρ[κεῖ],
τιμῆς οὐτ' ἀφελὼν οὐτ' ἐπορεξάμενος.
οἱ δ' εἶχον δύναμιν καὶ χρήμασιν ἦσαν ἀγῆτο[ι],
καὶ τοῖς ἐφρασάμην μηδὲν ἀ[ει]κὲς ἔχειν.
ἔστην δ' ἀμφιβαλὼν κρατερὸν σάκος ἀμφοτέροισι,
10 ν[ι]κᾶν δ' οὐκ εἶας οὐδετέρους ἀδίκως.

10 πάλιν δ' ἀποφαινόμενος περὶ τοῦ πλήθους, ὡς α[ὐτ]ῷ δεῖ χρῆσθαι 2
δῆμος δ' ὧδ' ἂν ἄριστα σὺν ἡγεμόνεσσιν ἔποιτο,
μήτε λίαν ἀν[ε]θεὶς μήτε βιαζόμενος.

11 ἡ scrips. K-W¹, cf. *Pol.* 1296 a 40 ταύτην ἀποδοῦναι τὴν τάξιν: εἰς (K, H-L), secl. K-W¹, B. 12 ἡ σ[μικρὸν] παραλλάξ[ειν] ὁ δὲ Blass (K-W, H-L, K²); lacuna in altera p discerni putat K, in altera spatium plurium litterarum capax superesse. μικρὸν K-W. 13 ἡβουλετο (K-W, B), quod in titulis Atticis ante annum 300 A.C. non apparet, Meisterhans, p. 134². 14 ἀπεχθεςθῆναι.

XII 1 <τὸν> propter homoeoteleuton exciderat. εἶχε K-W. 4 ΔΗΜΟΙ. γέρας: κράτος Plut. ἀπαρκεῖ: ἐπαρκεῖ Plut. (B), ubi ἀπαρκεῖ coniecerat Coraës: ἀπαρκεῖν H-L (nisi forte ἀπῆρκει legendum). 5-6 ΑΠΟΡΕΞΑΜΕΝΟΙ. 7 τοῖς H-L. 12 λίην Plut. βιαζόμενος: πιεζόμενος Plut.

TESTIMONIA. XII 4-9 Plut. *Sol.* 18.

11-14 Plut. *Comp. Sol. et Popl.* 2.

χρησάμενον ἀπᾶν πρὸς ἀμφοτέροις ἐπὶ σωτηρίᾳ τῆς πόλεως ὑποσχέσθαι κρύφα τοῖς μὲν ἀπόροις τὴν νέμεισιν, τοῖς δὲ χρηματικοῖς βεβαίωσιν τῶν συμβολαίων.

ἀνάδαστα] Dem. 24 § 149, γῆς ἀναδασμῶν, Plat. *Leg.* 684.

ἔξιν αὐτῷ κτλ.] Paraphrased by Aristides, ii 360 Dind., παρὸν αὐτῷ στασιαζούσῃ τῆς πόλεως ὁποτέρων βούλοιο προστάντι τυραννεῖν, ἀπεχθάνεσθαι μᾶλλον ἀμφοτέροις εἴλετο ὑπὲρ τοῦ δικαίου.

XII § 1. δῆμῳ—ἀδίκως] These six lines are quoted in Plut. *Sol.* 18=frag. 5 Bergk.

1. 4. ἀπαρκεῖ] 'is sufficient,' as in Aesch. *Pers.* 474, Soph. *O. C.* 1769, Eur. frag. 892, 4 Nauck², ὧν οὐκ ἀπαρκεῖ πλησμονή, Arist. frag. 395 οὐκ ἀπῆρκει, 'it was not enough' (L and S). Grote (ii 326), who had before him Plutarch's

reading ἐπαρκεῖ, translates: 'I gave to the people as much strength as sufficed for their needs'; but ἐπαρκεῖν must mean either (a) 'to supply' or (b) 'to be strong enough' (whether to help or to hinder). Plutarch's ἐπαρκεῖ is the only instance of the absolute use of the verb given in L and S, except Soph. *Ant.* 612, ἐπαρκεῖν νόμος δδ', 'this law shall prevail' or 'hold good,'=διαρκεῖ. Such is the satisfactory explanation given by Professor Jebb, who adds that in the only other instance, i.e. in Plutarch's quotation from Solon, 'we must surely read ἀπαρκεῖ with Coraës.' This opinion is conclusively confirmed by the reading given us by the papyrus.

§ 2. δῆμος—βιαζόμενος] quoted in Plut. *Solomis et Poplicolae comparatio*, c. 2; frag. 6 Bergk.

τίκτει γὰρ κόρος ὕβριν, δταν πολλὺς ὀλβος ἔπητ[αι]
ἀνθρώποισιν ὅσοις μὴ νόος ἄρτιος ᾖ.

3 καὶ πάλιν δ' [ἐτέρω]θί που λέγει περὶ τῶν διανείμασθαι τὴν γῆν 15
βουλομένων·

οἱ δ' ἐφ' ἀρπαγαῖσιν ἦλθον, ἐλπ[ι]δ' εἶ[χ]ον ἀφνεάν,
κἀδόκουν ἕκαστος αὐτῶν ὀλβον εὐρήσειν πολύν,
καὶ με κωτίλλοντα λείως τραχὺν ἐκφανεῖν νόον.
χαῦνα μὲν τότ' ἐφράσαντο, νῦν δέ μοι χολούμενοι 20
λο[ξ]ὸν ὁφθαλμοῖς ὁρῶσι πάντες ὥστε δῆϊον.
οὐ χρεῶν ἂ μὲν γὰρ εἶπα σὺν θεοῖσιν ἦνυ[σα],
[ἀλλα δ' ο]ὐ μ[ά]την ἔερδ[ο]ν, οὐδέ μοι τυραννίδος
ἀνδάνει βία τι [ῥέξ]ειν, οὐδέ πιε[ί]ρα]ς χθονὸς
πατρίδος κακοῖσιν ἐσθλοὺς ἰσομοιρίαν ἔχειν. 25

13 πολὺς: κακῷ Theognis 153. 14 ἀνθρώπων καὶ δταν Theognis 154. 15 καὶ
secl. κ-ω. δ' ἐτέρωθί που R D Hicks, Wyse, Sidgwick, idem ego quoque con-
iecteram (κ-ω, κ³, β); δ' ὀλβόθι που J B Mayor, Bywater, Blass; ἀλλαχόθι που Naber
(H-L); διαγνῶθι ποῦ κ¹. διανείμασθαι H-L. 17 οἱ δ' ἐφ' ἀρπαγαῖσιν ἐλπίδ'
ἦλθον? κ-ω. 18 'Fortasse αὐτὸς' Richards. 21 ὁφθαλμοῖς' β. ΔΗΙΟΝ
(κ-ω, κ³, β): δῆϊον in Plutarcho Reiskium secutus Bergk (κ¹, H-L). 22 εἰ μὲν
γὰρ ἀελλπτα Aristidis (ii 536) codices IΘ; ἀμα γὰρ ἀελλπτα Stephanus, S Jebb; εἰ μὲν
ἀελλπτα coniecit Gaisford, recepit Bergk, versus initium arbitrati. 23 In Aristidis
loco ἀλλα coniecit Gaisford; legebatur ἀμα. οὐ Bury, H-L, κ-ω, κ³, β; αἰ in
Aristide Bergk (κ¹). 24 ἀνδάνει κτλ.: ἦνδανεν (Richards) βλαία λήματ' H-L.

TESTIMONIA. 20, 21 Plut. Sol. 16.

22—23 Aristid. ii 536.

τίκτει—ἔπηται] quoted as Solon's by
Clemens Alexandrinus (*Stromateus*, vi
740): Σόλωνος δὲ ποιήσαντος· τίκτει γὰρ
(v. l. τοι) κτλ. Ἀντίκρυς δὲ Θεόγνης γράφει·
τίκτει τοι κόρος ὕβριν δταν κακῷ ὀλβος
ἔπηται (Theognis 153, followed by the
line ἀνθρώπων, καὶ δταν μὴ νόος ἀρτιος ᾖ).
The Schol. on Pindar *Ol.* xiii 12 cites
the first line as 'Homer's.' In the
Proverbs of Diogenianus, viii 22, it
appears in the form τίκτει τοι—κακῷ ἀνδρὶ
παρεῖη.

Diog. Laert. i 50 quotes, among the
apophthegms of Solon; καὶ τὸν μὲν κόρον
ὕπὸ τοῦ πλοῦτος γεννᾶσθαι, τὴν δὲ ὕβριν
ὕπὸ τοῦ κόρου.

§ 3. καὶ πάλιν δ'] καὶ—δὲ is common
in Ar.; e. g. *Pol.* 1252 a 13, 1254 b 24,
1287 a 7, 1297 b 16; and especially in
Ethics iv, viii, ix, x; 'adjungit autem
καὶ—δὲ rem novam, saepe tam leni modo,
ut idem fere valeat atque τέ. Etiam
saepius quam Aristoteles Theophrastus
iis particulis utitur' (In the *Historia
Plantarum* there are about 100 instances;
in the *Characteres* more than 70)—Eucken,
De Ar. dicendi ratione, i 32.

ἐτέρωθί που λέγει] Ar. *de Anima* i 2,

404 b 2 ('Ἀναξαγόρας), πολλὰχοῦ μὲν γὰρ
τὸ αἴτιον τοῦ καλῶς καὶ ὀρθῶς τὸν νοῦν
λέγει, ἐτέρωθι δὲ τοῦτον εἶναι τὴν
ψυχὴν, *De Partibus Animalium*, iii 2,
663 b 3, ἐτέρωθι που τοῦ σώματος. Plut.
Sol. 2, ἀλλ' ἐτέρωθι λέγει (of Solon).

ll. 17—25. οἱ δ' ἐφ' ἀρπαγαῖσιν—ἔχιν]
Lines 17—19, 24 and 25 are entirely new;
20 and 21 are quoted by Plutarch *Sol.* 16;
part of 22, 23 by Aristides, ii 536 Dind.,
ὁ δὲ δὴ Σόλων καὶ βιβλίον ἐξετίηδεν περὶ
ἡκεν... εἰς αὐτὸν καὶ τὴν αὐτοῦ πολιτείαν,
ἐν ᾧ ἄλλα τε δὴ λέγει καὶ ταῦτα· εἰ μὲν—
ἔρδον. Two other fragments in the same
metre are assigned by Bergk to the same
poem. The first of these is described in
Plut. *Sol.* 14 as addressed πρὸς Φώκον;
the second is quoted by Plutarch im-
mediately afterwards, beginning with οὐκ
ἔφην Σόλων βαθύφρων.

l. 19. καὶ με κωτίλλοντα—νόον] 'and
that I, though smoothly glozing, would
reveal my rude intent.' ἐκφανεῖν cannot
be translated as though it were synonym-
ous with κρύβειν. For κωτίλλοντα λείως,
cf. Theognis 852, ὅς τὸν ἐταίρον μαλθακὰ
κωτίλλων ἐξαπατᾶν ἐθέλει.

16 [πάλιν] δὲ καὶ περὶ τῆς ἀπ[οκ]οπῆς τῶν χ[ρε]ῶν καὶ τῶν δουλευόν- 4
των μὲν πρότερον ἐλευθερωθέντων δὲ διὰ τὴν σεισάχθει[αν].

ἐγὼ δὲ τῶν μὲν οὐνεκα ξυνήγαγον

26 ἀποκοπῆς τῶν χρεῶν Wessely (K², B): ἀπο[ρ]ας τῆς τῶν [πενή]ρων K¹ (H-L); ἀπ[ορ]ας τῆς τῶν [ὑπό]χρε[ων] K-W². 26—52 δουλευόντων—ἐξηρώθη πόλις in fragmenti Berolinensis pagina prima continentur. 27 <τότε> διὰ H-L. 28 οὐνεκα, in poetis Atticis a criticis suspectum, saeculi quinti et sexti in titulis legitur, CIA in δ 491, 8 ἀρετῆς οὐνεκα καὶ φιλίας (saec. v), CIA i 487, 1 οὐνεκα πιστὸς ἐφύς (saec. vi—v). Meisterhans, p. 177². εὐνεκ' K-W. εὐνεκα ξυνήγαγον Platt, coll. Pol. 1285 δ γ διὰ τὸ συναγαγεῖν (τὸ πλῆθος) ἐγγίγναντο βασιλεῖς ἐκόντων. οὐνεκα ξυνήγαγον H-L. Equidem οΥΝΕΚΑΞΥΝΗΓΑΓΟΝ in papyro cerni posse puto, recte tamen animadvertit K supra litteram Ξ scriptum esse O, et litteras ΓΔΓ litteris ΛΑΤ aut CΑΤ prorsus esse similes. οὐνεκ' ἀξονήλατον K¹; εὐνεκ' ἀξονήλατον K-W¹, ἀξονήλατων K-W². οὐνεκα ξενήλατον Jackson et Tyrrell (cf. Plut. Sol. 13 ἐπὶ τὴν ξένην πιπρασκόμενοι, id. 15 ἀνήγαγεν ἀπὸ ξένης, et inf. vv. 36—39). οὐνεκ' ἐξανάγαγον van Leeuwen. Aut ζυγήλατον (quod nusquam adhuc inventum est) aut ζυγηφόρον (quod a papyri scriptura nimis remotum est) Marindin. τῶν μὲν οὐνεκ' ἀξονήλατον δῆμον, τί τούτων πρὶν τυχεῖν ἐπανόστην; quondam Blass, coll. ἀματηλατεῖν (Hdt. Xen.), ζευγηλατεῖν (Xen.), πόλις ναυκληρεῖν (Aesch. S. C. T. 652, Soph. Ant. 994); eadem fere Crusius (Philol. L p. 177). τῶν μὲν οὐνεκα ξυνήγαγον δῆμον, τί τούτων πρὶν τυχεῖν ἐπανόστην; R C Jebb, cuius interpretationem unice veram esse patet. ξυνήγαγον etiam Blassio postea placuit.

§ 4. l. 28. The doubtful reading ἀξονήλατον is found in Aesch. Suppl. 181, σὺργγες...ἀξονήλατοι, 'whirling on the axle' (L and S); 'the sockets (in the navies) pressed by the axle, or through which the axle is driven' (Tucker). It seems impossible to interpret it (with Mr Kenyon) as a metaphor indicating 'a torture such as that of Ixion.' Much less can we understand it as an allusion to the ἀξονες of Solon.—ἀξονήλατον, impf. of ἀξονηλατεῖν, has been suggested; this is supported by O. Crusius (Philologus I, 177) as a metaphor from the race-course which he considers characteristic of Solon, comparing l. 47 κέντρον...λαβῶν, and fragm. 23 Bergk, which merely mentions μώνυχες ἵπποι. ξενήλατον, 'driven from the country as strangers,' though not found elsewhere, is implied in ξενηλατεῖν, and might be defended by Plut. Sol. 13, ἐπὶ τὴν ξένην πιπρασκόμενοι, and id. 15 ἀνήγαγον ἀπὸ ξένης followed by a quotation of Il. 38—41, γλώσσαν—ἐχόντας.

On the whole, I prefer accepting in the first line ξυνήγαγον. For the second I gladly adopt a suggestion due to Professor Jebb, who makes the sentence interrogative. He adds that the rhetorical emphasis obtained by placing the relative clause (τῶν μὲν) before the antecedent (τούτων) seems to confirm the view that this is a question. 'But, as to the ends for which I formed the popular party, or

(less probably) gathered the people into one (by healing the divisions which separated the various orders in the state), why did I desist before I had attained those ends?' (With ἐπανόστην, cf. l. 63 in fragment at the end of this chapter: 'anyone else would not have restrained the people' οὐδ' ἐπαύσατο κτλ.) Solon is here quoting the question addressed to him by some of his opponents who held that he had not carried his reforms far enough. He is in fact putting in his own words the complaint which elsewhere he gives in the words of the malcontents, περιβαλὼν δ' ἀγρὰν ἀγασθεὶς οὐκ ἐπέσπασεν μέγα δίκτυον (frag. 33 Bergk⁴, l. 3). In the triumphant συμμαρτυροῖη κτλ., he seems to say, 'Earth is the best witness whether I had cause enough τοῦ τὸν δῆμον συναγαγεῖν, without going on to do those things which I am blamed for not doing.' Prof. Jebb further points out that it is probable that the first two lines formed a separate sentence, as Aristides does not quote them, and it is unlikely that he would have begun his quotation with the third line, συμμαρτυροῖη, κτλ., if it had been in the middle of a sentence. I may add that the sense thus gained is confirmed by a subsequent line, l. 44, in which Solon protests that he has performed all that he has promised: διήλθον ὡς ὑπεσχόμην. Cf. l. 22, ἃ μὲν γὰρ εἶπα σὺν θεοῖσιν ἤνυσα.

δῆμον, τί τούτων πρὶν τυχεῖν ἐπαυσάμην;
 συμμαρτυροῖ[σιν] ταῦτ' ἂν ἐν δίκῃ χρόνου
 μήτηρ μεγίστη δαιμόνω[ν] Ὀλυμπίων
 ἄριστα, Γῇ μέλαινα, τῆς ἐγὼ ποτε
 [δ]ρους ἀνεῖλον πολλαχῇ πεπηγότα[ς],

30

29 δῆμον τι τούτων πρὶν τυχῶν ἐπαυσάμην, K¹. δῆμόν τι τούτων πρὶν τυχεῖν ἐπαυσάμην, K-W, alii; τοιοῦτων Sidgwick, τοιοῦτων πρὶν τυχῶν van Leeuwen. τί τούτων πρὶν τυχεῖν ἐπαυσάμην; recte Blass et Jebb. 30 χρόνου etiam Aristides habet: Κρόνου μήτηρ Clavigerus apud Bergk², qui ibidem ipse conicit ἐν Δίκῃς θρόνω. Κρόνου μήτηρ μεγίστη δαιμόνων τ' Ὀλυμπίων Poste. 33 πολλαχῇ: an πολλὰ ἐτι; J B Mayor.

TESTIMONIA. 30—54 Aristid. ii 536—8.

33, 34 Plut. Sol. 15.

ll. 30—54. **συμμαρτυροῖ — λύκος**] Quoted by Aristides, ii 536—8, in two portions, (a) ll. 30—49 ending οὐκ ἂν κατέσχε δῆμον, and (b) εἰ γὰρ ἤθελον to the end. (b) is introduced with the words: εἴτα τί φησὶν ὁ Σόλων;

l. 30. ἐν δίκῃ χρόνου] possibly (1) 'before the tribunal of time,' a bold expression, but less bold than that in Eur. *Bacch.* 889, *δαρὸν χρόνου πόδα*. Or, less probably, (2) 'in the justice of time,' i.e. 'justice which time eventually brings.' *συμμαρτυρεῖν* is combined with χρόνος in Xen. *Hell.* iii 3 § 2, *συμμαρτύρησε δὲ ταῦτ' αὐτῷ καὶ ὁ ἀληθέστατος λεγόμενος χρόνος εἶναι*. Solon appeals to Earth to bear witness before the tribunal of Time that he had attained the ends he had in view.

l. 31. μήτηρ—Γῇ] Even the Attic land set free from its encumbrances is boldly personified as Mother Earth. Cf. Plato, *Leg.* 740 A, *δεῖ τὸν λαχόντα τὴν λῆξιν ταύτην νομίζειν μὲν κοινὴν αὐτῇ τῆς πόλεως ξυμπάσης, πατρίδος δὲ οὐσης τῆς χώρας θεοραπέυει αὐτὴν δεῖ μειζύνας ἢ μητέρα παῖδας, τῷ καὶ δέσπωναι θεὸν αὐτὴν οὐσαν θνητῶν ὄντων γεγονέναι, and 741, τῆς γῆς ιερὰς οὐσης τῶν πάντων θεῶν*.

ll. 33, 34. **δρους—ἀλευθέραι**] These lines, and part of ll. 38—41, are quoted in Plut. *Sol.* 15, *σεμνύνεται γὰρ Σόλων ἐν τούτοις, οὗτις τῆς τε προῖποκεμμένης γῆς ὄρους ἀνέλε—νὺν ἀλευθέραι*.

καὶ τῶν ἀγωγίμων πρὸς ἀργύριον γεγονότων πολιτῶν τοὺς μὲν ἀνήγαγεν ἀπὸ ξένης γλώσσης οὐκ ἐξ Ἀττικῆν—ἐχόντας.

l. 33. **δρους**] Sir George Cox, *Hist. of Greece*, i 201, has suggested that this means *boundaries*, and similarly in the *Edinburgh Review*, 1891, p. 493, 'These boundary stones were the marks of the religious ownership of the Eupatrids.' This view is refuted in Mr Evelyn Abbott's *History of Greece*, i 407.

As regards the meaning of *δρος* and cognate words in early Greek literature, the ambiguity in *Il.* xii 421, *ἀμφ' οὄροι δι' ἀνέρε θεράσασθον*, is made clear by other passages, which prove that the *οὄρα* are 'stones' (xxii 405) marking off the allotments, and are easily moveable by a fraudulent neighbour (xxi 489), Leaf *ad loc.* In Hdt. i 93 *οὄροι* is used of stones bearing inscriptions. In the present passage we have the earliest instance of *δροι* in the sense of 'mortgage pillars,' 'stone-slabs or tablets set up on mortgaged property, to serve as a bond or register of the debt' (L and S). This use is common in the time of Demosthenes, e.g. Or. 31 § 1, *τίθησιν δρους ἐπὶ μὲν τὴν οἰκίαν διαχιλίω, ἐπὶ δὲ τὸ χωρίον ταλάντου*, 42 § 5, *οὐδεὶς δρος ἐπεσθὶν ἐπὶ τῇ ἐσχατῇ*, and § 28, *ἐκέλευον δεῖξαι δρον εἶπον ἐπεσθὶ*, 49 § 13, *τοὺς δρους ἀνέσπακε*, 'has (illicitly) removed the tablets,' and § 11, *ἡ οὐσία ὑπόχρεως ἦν ἅπαντα καὶ δροι αὐτῆς ἑστασαν*, id. § 61, *δρους αὐτοῦ ἡ οὐσία ἀφωρισμένη ἦν*, 25 § 69, *οἱ τεθέντες δροι ἐσθηκότες*, 41 § 6, *δρους ἐπιστῆσαι χιλίων δραχμῶν ἑμὸι τῆς προικὸς ἐπὶ τὴν οἰκίαν*. Isaeus 6 § 36, *ὅπως . . δροι τεθεῖεν*. In Theophrastus (*Char.* 10 = 24 Jebb) it is characteristic of the *μικρολόγος* to inspect the *δροι* day by day. Harpocr. s. v. *δρος*: *ὅπως ἐκάλουν οἱ Ἀττικοὶ τὰ ἐκτότα ταῖς ὑποκειμέναις οἰκίαις καὶ χωρίοις γράμματα, δηλοῦντα οὗτις ὑποκείνται δανεισθῇ*.

Originally the *δρος* was doubtless a boundary-stone or land-mark. In the absence of other means of registration, it became customary to inscribe on these boundary-stones a notice of the charges on the property. Solon, by his *σεισάχθεια*, released the poorer classes from the burden of their debts, and set the land, which was security for these debts, free from encumbrances. No sooner was the debt itself abolished, than the stones in-

- [πρόσθ]εν δὲ δουλεύουσα, νῦν ἐλευθέρα.
 35 πολλοὺς δ' Ἀθήνας, πατρίδ' εἰς θεόκτιτ[ον],
 [ἀνή]γαγον πραθέντας, ἄλλον ἐκδίκως,
 ἄλλον δικαίως, τοὺς δ' ἀναγκαίης ὕπο
 χρειοῦς φυγόντας, γλῶσσαν οὐκέτ' Ἀττικὴν
 40 ἰέντας, ὡς ἂν πολλαχῇ πλαν[ωμένους],
 τοὺς δ' ἐνθάδ' αὐτοῦ δ[ουλί]ην ἀεικέα
 [ἔ]χοντας, ἦθθι δεσποτῶν τρομευμέν[ους],

34 δὲ: γε J B Mayor (H-L). νῦν δ' H-L. 35 θεόκτιτον: idem habent Aristidis codices prope omnes. 38 χρησίων λέγοντας (quod intelligi nequit) Aristides. 41 ἦθθι Aristides, correxit Bergk.

scribed with the record of the security were removed, and the land set free. (Cf. Blass in *Hermes*, xv 286 ff.)

Many exx. of these inscribed δροι have been found. Those of Attica are published in CIA ii, the ordinary boundary-stones forming nos. 1062—1102 and the *termini fundorum pigneratorum* nos. 1103—1153. A specimen is figured in Duruy's *Histoire des Grecs*, i 385; and all the extant Greek inscriptions of this kind are collected and classified in the *Inscriptions Juridiques Grecques* by MM. Dareste, Haussoullier and Th. Reinach, 1891, i p. 107—142. Classes A and B are securities (ἀποτιμήματα) for money belonging either to minors (1—9) or married women (10—24). Class C (25—59), records of sale with right of redemption, 'ostensibly a purchase, but really a loan of money secured by the conveyance of property.' 'The debtor continues to occupy it, paying interest on the purchase-money and possessing the power of redemption within a certain time' (Hager in Smith's *Dict. Ant. s. v. HORI*). The following are some of the more interesting dated examples: A 5 (CIA ii 1138) ἐπὶ Νικοκλέους ἀρχοντος (B. C. 302/1) δρος χωρίων καὶ οἰκίας καὶ τοῦ ὁδοῦ τοῦ προσόντος τοῖς χωρίοις κλήρων δυνεῖ ἀποτιμημένων παισὶν ὀφθαλοῖς τοῖς Ἀποστολεῖσι Χαίρεττι καὶ Χαρίῃ. B 17 (CIA ii 1137) ἐπὶ Εὐξένιππου ἀρχοντος (B. C. 305/4) δρος χωρίων καὶ οἰκίων ἀποτιμημάτων προκίδι Ξεαρρίστει Πυθοδώρου Γαργηττίου θυγατρὶ, τὸ κατὰ τὸ ἡμῶν καὶ τὸ ἐκ τούτου γινόμενον αἰτεῖ εἰς Λεώστρατον ἀρχοντα ΧΧΓΗΗ... C 49 (CIA ii 1133) ἐπὶ Πραξιβούλου ἀρχοντος (B. C. 315/4) δρος οἰκίας πεπραμένης ἐπὶ Λόσει. D 61 (CIA ii 1134) ἐπὶ Θεοφράστου ἀρχοντος (B. C. 313/2) δρος χωρίου τιμῆς ἐνοφειλομένης Φανοστράτῳ Παιανεὶ ΧΧ=2000 dr.

All these inscriptions belong to the

latter part of the fourth century. It cannot be supposed, however, that lending money on mortgage was unknown in the previous century. Under the Second Athenian Confederation (CIA ii 17), the Athenians were forbidden to purchase lands or houses in the territory of their allies or to lend money on mortgage. This implies that, under the First Confederation, lending money on these terms was not forbidden. But it would appear that for some centuries the Athenians, while still employing boundary-stones for their public or sacred domains, gave up using them as records of mortgages. It has been suggested that 'in the early times, which followed the reforms of Solon, no one had recourse to recording his claims on the detested tablets of stone whose removal from the land had been celebrated with such enthusiasm by the legislator himself' (*Inscr. Juridiques*, i 122). —For a similar reform among the Jews in the latter part of the fifth century, see *Nehemiah* v, 1—13.

πεπηγότας] Lycurg. *Leocr.* § 73, δρους τοῖς βαρβάροις πῆξαντες. Thuc. iv 92, 4, τοῖς μὲν ἄλλοις οἱ πλησιώχωροι περὶ γῆς δρων τὰς μάχας ποιούνται, ἡμῶν δὲ ἐς πᾶσαν, ἣν νικηθῶμεν, εἰς δρος οὐκ ἀντιλεκτος παγῆσεται.

1. 36. πραθέντας] Solon ap. Dem. *F. L.* p. 421, τῶν δὲ πενιχῶν | ἰκνύνται πολλοὶ γαῖαν ἐς ἀλλοδαπὴν | πραθέντες κτλ. Cf. Grote, c. 11, ii 310 n.

1. 37. ἀναγκαίης ὑπο χρεοῦς] Cf. *Il.* viii 57, χρεοῖ ἀναγκαίῃ.

1. 38—41. γλῶσσαν—ἔχοντας] quoted by Plut. *Sol.* 15.

1. 40. δουλίην] Ionic forms are characteristic of Solon's verses: cf. l. 41, τρομευμένους, and in Plut. *Sol.* 14, αἰδεύμαι and δοκέω.

1. 41. ἦθθι—τρομευμένους] 'trembling at each mood of their masters.'

[ἐλ]ευθέρους ἔθηκα. ταῦτα μὲν κράτει
νόμου, βίαν τε καὶ δίκην συναρμόσας,
[ἐρ]εξα, καὶ διήλθον ὡς ὑπεςχόμεν.
θεσμούς δ' ὁμοίως τῷ κακῷ τε καὶ ἀγαθῷ,
εὐθείαν εἰς ἕκαστον ἀρμόσας δίκην,
ἔγραψα. κέντρον δ' ἄλλος ὡς ἐγὼ λαβὼν,
[κακ]οφραδῆς τε καὶ φιλοκτῆμων ἀνὴρ,
οὐκ ἂν κατέσχε δῆμον· εἰ γὰρ ἤ[θε]λον
ἂ τοῖς ἐναντίο[ις]ιν ἥνδανεν τότε,
αὐθις δ' ἂ τοῖσιν οὐτεροι φρασαίατο,
πολλῶν ἂν ἀνδρῶν ἦδ' ἐχηρώθη πόλις.
τῶν οὐνεκ' ἀλλήν πάντοθεν ποιούμενος

45

50

43 ΚΡΑΤΕΙ: κράτει (κράτη cod. Θ, Bergk) Aristides: κρ.τη Papyrus Berol.
43 ΝΟΜΟΥ (κ, H-L): ὁμοῦ Aristides, Plut., Papyrus Berol. (κ-W, B). 44 ἔρεξα
Aristides. διήλθον: διήνυσθ' Herwerden. 45 ΤΕ, ut videtur, correctum in θ'
(κ): δ' Aristides (Wyse, κ-W, H-L, B). ὁμοίως Bergk, Aristidis codices duos
secutus. 49 ΔΗΜΟΝ: idem habent Aristides et Plut. Sol. 16: θυμὸν hic et infra
v. 63 legendum suspicantur H-L; idem olim Cantero et Reiskio placuerat. 50 δ
τοῖς: ΑΥΤΟΙΣ. τότε: ποῦν Sidgwick (H-L). 51 δ τοῖσιν οὐτεροι φρασαίατο
Platt, κ-W, κ³, B. ΑΥΤΟΙΣΙΝΟΥΤΕΡΟΙ (vel ΑΙ) ΦΡΑΣΑΙΑΤΟ. δ τοῖσιν ἀτέροι δρᾶσαι,
διὰ (κατὰ Valckenaer, βίβ. Schaefer, διχα O. Schneider et Ahrens, δρᾶσαι διχα Bergk)
Aristides. δ τοῖσι θάτέρα δρᾶσαι διχα Ellis. δ τοῖσιν οὐτέρα (= οἱ ἐτέρα) φρασαίατο
quondam Blass. δ χωρὶς ἀτεροι φρασαίατο Sidgwick (H-L). δ τοῖσδ' ἂν ἀτεροι φρα-
σαίατο Tyrrell. 53 ἐχειρώθη Aristides, correx. Valckenaer. 53 ΟΥΝΕΚ (κ,
H-L): εἵνεκ' κ-W (cf. v. 28). ἀλήν: ἀρχήν Arist., ὀργήν Bergk. ΠΟΙΟΥΜΕΝΟΣ
(κ¹): ποιούμενος Platt, κ-W, H-L, κ³; κυκεύμενος Arist.

TESTIMONIA. 38—41, 43 Plut. Sol. 15.

l. 45. θεσμοῖς] In Plut. Sol. 19 end, θεσμοὶς ἐφώνη δδε is quoted from one of Solon's laws. Cf. note on c. 4 § 1.

l. 47. κέντρον] the 'goad' is here the symbol of strong control, as in Soph. Frag. 606 (of sovereignty), λαβὼν δὲ χερεὶ κέντρα κηδεύει πόλιν.

l. 49. οὐκ ἂν κατέσχε δῆμον] With these words the first quotation in Aristides ends. Plutarch, however (Sol. 16), cites two lines with the following introduction: καίτοι φησὶν, ὡς, εἰ τις ἄλλος ἔσχε τὴν αὐτὴν δύναμιν,

οὐτ' ἂν κατέσχε δῆμον οὐτ' ἐπαύσατο
πρὶν ἂν ταράξας πᾶρ ἐξέλῃ γάλα.

Hence in Bergk's ed. of frag. 36 these two lines are added to the passage quoted by Aristides; and the passage εἰ γὰρ ἤθελον—λύκος, quoted subsequently by Aristides, is treated as a separate fragment (37). But the text makes it clear that this last passage followed immediately after his first quotation, while the couplet in Plutarch comes from a

subsequent portion of the same poem quoted near the end of this chapter.

l. 51. τοῖσιν οὐτεροι φρασαίατο] 'what their foes devised within their hearts' (K.). This does not explain the construction; τοῖσι cannot go with οὐτεροι, for 'their foes' would be τῶν οὐτεροι, 'those different from these.' τοῖσι must be dative after φρασαίατο. 'φράζεσθαι c. dat. and inf.=to tell one to do so and so,' but the inf. is sometimes omitted, as in Hom. Od. x 549, ἀλλ' ἱομεν δὴ γὰρ μοι ἐπέφραδε πότνια Κίρκη. The sense seems to be 'whatever at any time the other party would devise for their opponents,' or perhaps, 'urge their opponents (τοῖσι=ἐναντίοις) to do.' The ἐναντίοι are the party opposed to Solon's remedial measures. The οὐτεροι are the popular party. With φρασαίατο cf. ποισαίατο at end of next quotation.

l. 52. ἀνδρῶν—ἐχηρώθη] Hdt. vi 83, "Ἄργος ἀνδρῶν ἐχηρώθη."

l. 53. ποιούμενος] An Ionism; cf. note

ὡς ἐν κυσὶν πολλαῖσιν ἐστράφην λύκος.

55 καὶ πάλιν ὀνειδίζων πρὸς τὰς ὑστερον αὐτ[ῶν] μεμψιμοιρίας ἀμ- 5
φοτέρων

δήμῳ μὲν εἰ χρὴ διαφάδην ὀνειδίσαι,
ἂ νῦν ἔχουσιν οὐποτ' ὀφθαλμοῖσιν ἂν
εὐδοντες εἶδον

60 ὅσοι δὲ μείζους καὶ βίαν ἀμείνονες
αἰνοῦεν ἂν με καὶ φίλον ποιοίαιτο.

εἰ γὰρ τις ἄλλος, φησὶ, ταύτης τῆς τιμῆς ἔτυχεν,

οὐκ ἂν κατέσχε δῆμον οὐδ' ἐπαύσατο,
πρὶν ἀνταράξας πῖαρ ἐξεῖλεν γάλα. ||

65 ἐγὼ δὲ τούτων ὥσπερ ἐν μεταχειμῶν
ὄρος κατέστην.

[Col. 5.]

55 ΕΤΡΑΦΗΝ vel ΕΓΓΡΑΦΗΝ: ἐστράφην Arist. (κ, κ-ω, Η-Λ, Β).

Blass (κ-ω, Κ'): αὐθις Η-Λ.

μ' ἀμφάδην Platt (Η-Λ).

57 ΔΙΑΦΡΑΔΗΝ: διαφάδην Kontos et κ-ω (κ', Β):
μ' ἀμφάδην Platt (Η-Λ). 64 ΠΡΙΝΑΝΤΑΡΑΞΑCΠΥΑΡΕΞΕΙΛΕΝ: πρὶν ἂν ταράξας
πῖαρ ἐξέλῃ γάλα Plut. (et κ-ω'), unde Adam ad Plat. *Crit.* 44 D coniecerat πρὶν
ἀνταράξας—ἐξεῖλεν, etiam Gildersleeve ἀνταράξας legendum esse olim viderat; eadem
postea protulerunt Sidgwick, Blass, Η-Λ (Κ'). πρὶν ἢ ταράξας πῖαρ ἐξεῖλεν γάλα κ-ω'.

TESTIMONIA. 63, 64 Plut. *Sol.* 16.

65—66 Cf. Aristid. *infra* exscriptum.

on l. 40, δουλίην. In Soph. *O. C.* 459, ἀλκὴν ποιεῖσθαι means 'to succour.'

l. 54. ὡς ἐν κυσὶν—ἐστράφην λύκος] A reminiscence of Homer, *Il.* 12, 42, ἐν τε κύνεσσι...κάπριος ἢ λέων στρέφεται. Cf. Solon 15, 23, ταῦτα μὲν ἐν δῆμῳ στρέφεται κακὰ.

§ 5. διαφάδην] διαφράδην is unknown. διαφραδέως means 'distinctly' (of sound) in Hippocrates 408. διαφάδην, 'openly,' is here accepted. This is found in Pollux ii 129, ἀρρήδην, διαρρήδην, διαφάδην.

l. 59. εὐδοντες] 'even in their dreams.' Dem. *F. L.* 275, ἃ μὲν δ' ὄναρ ἤλπισαν πῶποτε.

l. 60. ὅσοι sc. εἰσὶ. The last two lines refer to the rich, the first three to the poor. The whole of this passage (57—61) is new.

l. 62. εἰ γὰρ τις κτλ.] Plut. *Sol.* 16, quoted in note on l. 49.

l. 64. πρὶν—γάλα] πρὶν c. subj. aor. (or πρὶν ἂν in Attic Gk) is properly only used after negative clauses, to denote a point in *future* time before which something else *must* happen; or (as Goodwin puts it, *Moods and Tenses*, § 638), 'when a clause with πρὶν, *until*, refers to the future, and depends on a *negative* clause of future time (*not* containing an optative),

πρὶν takes the subjunctive.' Such a construction is out of place here, where we require πρὶν c. indic. With the text, as emended, cf. Plat. *Men.* 86 D, οὐκ ἂν ἐπεσκεψάμεθα πρότερον εἴτε διδασκὼν εἴτε οὐ διδασκὼν ἢ ἀρετῇ, πρὶν δ' τι ἐστί πρῶτον ἐξηγήσαμεν (*ib.* 84 C and *Theaet.* 165 D: Goodwin, § 637).

ἀνταράξας] In Ionic (as well as Doric poetry) ἀν- and ἀμ- stand for ἀνα-. *Od.* i 440, ἀγκρεμάσασα, and elsewhere ἀν-σθήσων, ἀνστήτην, ἀνστήμεναι; *Il.* xxiv 756, ἀνστήσεις; *Od.* v 320, ἀνσχεθῆεν; ἀνσχεσθῆναι, ἀνσχεο, ἀνσχετός.

πῖαρ] (πίων) lit. 'fat,' an Epic and Ionic word; *Il.* xi 550, xvii 659, βοῶν ἐκ πῖαρ ἐλίσσθαι, of cream in Solon; also used metaphorically of 'the cream' of a thing, the choicest and best (L and S). Hesychius, πῖαρ: τὸ κράτιστον. This suits the context better than πῦαρ, which is 'the first milk after calving,' 'beestings,' or the rennet made from it. The sense requires not a particular kind of milk, such as 'beestings'; but the best part of the milk, the 'cream.' The constr. is either πρὶν ἀνταράξας γάλα ἐξεῖλεν πῖαρ, or else γάλα is acc. after the complex verb πῖαρ ἐξεῖλεν.

l. 65. ἐγὼ—κατέστην] 'I set myself as

cannt

13. τὴν μὲν οὖν ἀποδημίαν ἐποίησατο διὰ ταύτας τὰς αἰτίας. Σόλωνος δ' ἀποδημήσαντος, ἔτι τῆς πόλεως τεταραγμένης, ἐπὶ μὲν ἔτι τέτταρα διήγγον [ἐν ἡσυχίᾳ· τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος

a landmark between two armed hosts.' Hdt. viii 140, 2 (of debateable land), δειμαίνω ὑπὲρ ὧν ἐν τρίβῳ τε μάλιστα οἰκημένων τῶν συμμάχων πάντων αἰεὶ τε φθειρομένων μόνων, ἐξαίρετον μεταίχμιον τε τὴν γῆν ἐκτρημένον. δρος, 'landmark,' or 'wall,' seems a harsh metaphor, except perhaps in one who, like Solon, had the δροι, the boundaries as well as the mortgage-tablets, of Attica much in his mind. The passage is paraphrased in Aristides, ii 360 (of Solon), ἔστι δ' ἐν μεθορίῳ πάντων ἀνδρείωτατα καὶ δικαιοτάτα, ὥσπερ τινὰς ὡς ἀληθῶς ἐκ γεωμετρίας περιγραφτοὺς φυλάττων δρους.

XIII § 1. ἀποδημίαν ἐποίησατο] c. 11 § 1.

Σόλωνος—τεταραγμένης κτλ.] 'When S. had gone abroad, although the state was still disturbed by divisions, yet for four years they lived in peace, but in the fifth year' &c. ἀποδημίαν has two meanings (1) to be abroad, and (2) to go abroad. (1) is found in *Pol.* 1303 b 23, and *Poet.* 17, 1455 b 17, ἀποδημόντος: (2) in the present passage. The fact that τεταραγμένης precedes, accounts for the article in τὴν στάσιν.

τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος ἀρχήν] The archonship of Solon is usually placed in B.C. 594/3 = *Ol.* 46, 3. This is the date given by Diog. Laert. i 62 on the authority of Sosicrates of Rhodes, the author of a work on the *History of Crete* and on the *Succession of Philosophers*, who flourished between 300 and 128 B.C. The archons about this time are given by Clinton as follows:

<i>Ol.</i>	<i>B.C.</i>
46, 2 = 595	Philombrotus
3 = 594	Solon
4 = 593	Dropides
47, 1 = 592	Eucrates?
2 = 591	Simon
3 = 590	[Simon, in <i>Marmor Parium</i>]

Jerome places Solon in 592: and the Armerian version of Eusebius in 590. 592 is already occupied by Eucrates, and 590 (in the *Marmor Parium*, see § 2 n) possibly by Simon. The text of c. 14 § 1 appears to place Solon 31 years before the archonship of Comeas (B.C. 560), i.e. in 591. But if Solon is placed in 591, Philombrotus and Dropides must be placed in 592 and 590, which are already

assigned to other archons. Again, if Comeas is (by another method of reckoning) assigned to 561, Solon falls in 592, the year assigned to Eucrates. Eucrates, however, may really belong to a later date. Sosicrates (*ap.* Diog. Laert. i 101) places him in *Ol.* 47 (592—589) and makes Anacharsis visit Solon during the archonship of Eucrates. But Solon left Athens for ten years when his own archonship was over, so that, if Sosicrates (our only authority for Eucrates) is right about the date of the visit of Anacharsis, Eucrates cannot be earlier than 583. On the year of Solon's archonship, cf. Clinton, *Fasti*, ii 298; Fischer's *Gr. Zeittafeln*, p. 114; and Busolt, i 524.

If Solon was archon in 594, and if 'in the fifth year' means four years after Solon, then the first year of anarchy falls in 590, and the second in 586. Then, if διὰ τῶν αὐτῶν χρόνων is retained in the sense, 'after the same interval of time,' i.e. four years later, the archonship of Damasias begins in 582. This is Mr Kenyon's view. In this calculation the first period of four years of peace must include either the year of Solon's archonship or the first year of anarchy; and the second period must include one of the years of anarchy.

On the other hand, if the first 'four years' extend from B.C. 593 to 590, then the first year of anarchy is 589; again, if ἐν πέντε is taken as meaning 'five years afterwards,' the second year of anarchy is 584. Further, if διὰ τῶν αὐτῶν χρόνων is regarded as an interpolation, the beginning of the rule of Damasias follows at once in 583. This is the view of Bauer, and of Kaibel and Wilamowitz. But the first year of Damasias coincides with that in which the Pythian festival was transformed into an ἀγὼν στεφανίστης, and the festival was held in the third year of each Olympiad, whereas 583 is the second year. The opinion that it fell in the second year of the Olympiad, which has been inferred from Thuc. iv 117 and v 1, is refuted in Clinton's *Fasti*, ii p. 195 = 245³.

Again, if the archonship of Solon is placed in 591, the years of anarchy may be put at intervals of four years in 587 and 583. Then, if διὰ τῶν αὐτῶν χρόνων

ἀρχὴν οὐ κατέστησαν ἄρχοντα διὰ τὴν στ[άσ]ιν, καὶ πάλιν ἔτει
5 πέμπτῳ <διὰ> τὴν αὐτὴν αἰτίαν ἀναρχίαν ἐποίησαν. μετὰ δὲ 2
ταῦτα διὰ τῶν αὐτῶν χρόνων Δ[αμ]α[σίας αἶρε]θεὶς ἄρχων ἔτη

XIII 4 ΟΥΚΑΤΕΣΤΗΚΑΝ (K-W, K³): οὐκ ἐπέστησαν K¹ (H-L).

18 διώκειν continetur fragmenti Berolinensis in pagina secunda.

add. e papyro Berol.

ΔΙΤΙΑΝΑΡΧΑΙΑΝ: αἰτίαν ἀναρχίαν Campbell, Jackson, Housman, Burnet, K-W, H-L, K³.

6 διὰ τῶν αὐτῶν χρόνων secl. K-W; διὰ τοῦ αὐτοῦ χρόνου? Herwerden.

be omitted, we get 582 as the first year of Damasias. This is the view of T. Reinach and of Poland. It has the advantage of leaving the text in c. 14 § 1 untouched, and it gives a date for Damasias which is consistent with Pausanias x 7, 5, where the first Pythian ἀγὼν στεφανίτης, which coincided with the first year of Damasias, is placed in 582. If so, the archonship of Simon which, according to the Scholiasts on Pin-

dar, was five years before Damasias, may provisionally be placed in 587, instead of 590, the year assigned to it by the Parian Marble; but 587 was on this view a year of anarchy; hence it is not improbable that Simon was really archon in 586.

All the above views agree in placing the beginning of the archonship of Damasias later than 586 B.C., in or about 582. The following is a conspectus of the views above mentioned.

	Mr Kenyon	Bauer and K-W.	Reinach and Poland
Solon, archon	594	594	591
First period of 4 years	{594-1} {593-0}	593-590	591-588
First year of anarchy	590	589	587
Second period of 4 years	{590-87} {589-86}	588-585	586-583
Second year of anarchy	586	584	583
Third period of 4 years	{586-3} {585-2}	nil	nil
Damasias, archon	582	583	582

A space of 13 years, 594 to 582 inclusive, does not allow of three periods of four years, and four years besides. It only admits of three periods of three years (and four years over). But these can only be obtained by altering τέτταρα into τρία and πέμπτῳ twice into τετάρτῳ. This, however, would perhaps be going too far.

§ 2. Δαμασίας] On the discovery of the Berlin fragments, much controversy arose respecting the Damasias there mentioned. It was at first proposed to identify him with Damasias I, the archon of 639 B.C. This opinion was conclusively refuted by Diels (*Berlin Acad.* 1885, p. 12); and, now that we have the context of the fragment before us, it is obvious that Damasias II can alone be meant.

Hitherto the determination of the date of Damasias II has depended on a mutilated passage in the Parian Marble.

(This important chronological document was bought in Smyrna by an agent of Thomas Howard, Earl of Arundel and Surrey, 1585—1646, and sent to Arundel House in 1627. It was first edited by Selden, 1628. In 1667, at the instance of John Evelyn, *Letters*, Aug. 4, 1667, *Diary*, Sept. 19, Oct. 8, 17, 25, it was presented by the Earl's grandson to the University of Oxford, and in 1676 it was edited once more by Prideaux. After being preserved for many years in the Ashmolean Museum, it was removed to the University Galleries in 1889. It has been edited by Boeckh, CIG ii 2374, and C. Müller, FHG i 535—590. The authority for the chronology recorded in this Marble is probably Phanias of Eresos, a pupil of Aristotle. The dates are reckoned by the number of years that had elapsed before the archonship of Diognetus, B.C. 264—3.)

δύο καὶ δύο μῆνας ἦρξεν, ἕως ἐξηλάθη βία τῆς ἀρχῆς. εἴτ' ἔδοξε[ν] αὐτοῖς διὰ τὸ στασιάζειν ἄρχοντας ἐλέσθαι δέκα, πέντε μὲν εὐπατριδῶν, τρεῖς δὲ ἁ[γρ]οίκων, δύο δὲ δημιουργῶν, καὶ οὗτοι

7 ΕΞΗΛΑΘΗ: correxerunt Richards, K-W, H-L (κ³). <ἐκ> τῆς ἀρχῆς H-L.
9 ἀποίκων Berol.; litterae p partem inferiorem cerni posse putat K.

TESTIMONIA. 9 Hes. ἀγροῦνται ἀγροικοι (locus infra exscriptus).

The passage, with which we are concerned, is restored as follows: ll. 53—54, [ἀφ' οὗ Ἀμφικτύονες ἐνίκησαν ἐλ]όντες Κόρραν, καὶ ὁ ἀγὼν ὁ γυμνικὸς ἐτέθη χρηματῆτης ἀπὸ τῶν λαφύρων, ἐτη HH[H] ΔΔΠΙΙ (327), ἀρχοντας Ἀθήνησι Σίμωνος. ἀφ' οὗ [ἐν Δελφοῖς στεφανίτης ἀγὼν πάλιν ἐτέθη, ἐτη HHHΔ..II, ἀρχοντας Ἀθήνησι Δαμασίου τοῦ δευτέρου. The interval between the year of Diognetus and that of Damasias is here denoted by the symbols HHHΔ..II (312). (a) Boeckh and C. Müller insert ΠΙ (6), thus making the number 318; (b) Chandler and Clinton, Δ (10), making it 322; while Dopp (the latest editor) proposes ΔΙ (11), making it 323. The corresponding dates B.C. are: (a) 582/1 or 581/0, according as we reckon exclusively or inclusively; or (b) 586/5, according as we reckon inclusively with 323 or exclusively with 322. But the archonship of Damasias coincides with a Pythian festival; this excludes 581 and leaves us the choice between 586 and 582.

It has been urged in favour of 586/5 that Diog. Laert. i 22 describes Thales and the other Wise Men of Greece as flourishing in the archonship of Damasias; and that 586/5 would be an appropriate year to mark their epoch, because the eclipse predicted by Thales took place on May 28, 585 B.C. (Cf. Busolt, i 493.)

On the other hand, 582/1 is supported by Pausanias (x 7, 4—5), who implies that the first ἀγὼν στεφανίτης was in 582/1, and the last ἀγὼν χρηματῆτης in 586/5.

It may here be suggested, that probably the first year of Damasias coincided with the first celebration of the Pythian games after their transformation into an ἀγὼν στεφανίτης, i.e. with 582. Subsequently, a confusion may have arisen between the year of that celebration and the actual year in which the change was made (586). The archonship of Damasias was thus put four years too early. If the archonship of Simon coincided with the last ἀγὼν χρηματῆτης and if that ἀγὼν was four

years earlier than the change in the Pythian games (586), it follows that the archonship of Simon must be put in 590. Simon is placed in that year in the Parian Marble; and the evidence of the text, which gives at least 10 years between the year of Solon and that of Damasias, points to 582 as the year of Damasias.

If Damasias was archon in 582, Solon would by that date have returned to Athens after his absence of ten years (593—584 inclusive). This may be held to favour the conjecture of Diels (*Berl. Acad.* 1885, p. 13 f.) that Solon refers to the usurpation of Damasias in fragm. 32 and 33, quoted in Plut. *Sol.* 14, ἐλ δὲ γῆς ἐφεισάμην κτλ., and οὐκ ἔφην Σόλων βαθόφρων. The trochaic passage quoted above in c. 12 has been ascribed to the same poem, πρὸς Φῶκον.

[ἐξηλάθη] The form ἐξηλάσθη is given in the papyrus and in the restoration of the Berlin fragment by Blass ἐξηλά[σ]θη. For ἡλάσθην Veitch, s.v. εἰσίνω, quotes Diod. Sic. 20, 51, συν- Plut. *Caes.* 17. Gaisford, however, edits ἀπ- and ἐξηλάσθη in Hdt. iii 54, vii 6 &c [Hdt. vii 6 ἐξηλάσθη ὑπὸ Ππαρχον... ἐξ Ἀθηνῶν. ἐξηλάσθη cod. Florentinus: ἐξηλάθη al. iii 51 and i 173, ἐξελασθεις, in the latter passage the cod. Parisinus has ἐξελαθεις].

[ἀρχοντας—δέκα] Owing to a lacuna in the Berlin fragment, which only mentions the three archons elected by the second class and the two by the third, it was supposed that the first class elected four, making nine archons in all. It now appears that in this particular year the number was ten. This election was a reactionary measure. It implied an abandonment of the classification by assessment which was the cardinal point of Solon's constitution.

[ἀγροίκων] The Berlin fragment has ἀποίκων. There is a similar confusion in l. 2 of the poems of Herondas, where ΑΠΟΙΚΙΗC was first written and then corrected into ΑΓΡΟΙΚΙΗC. The usual name for this class is γεωμόροι (Plut. *Thes.* 25; Bekker's *Anecd. Gr.* 257, 7; Etym. Mag. p. 395, 50, &c), or γεωργολ

10 τὸν μετὰ Δαμασίαν [ἡ]ρξαν ἐνιαιυτόν. ᾧ καὶ δῆλον ὅτι μεγίστην
 εἶχεν δύναμιν ὁ ἄρχων· φαίνονται γὰρ αἰεὶ στ[α]σιάζοντες· περὶ
 ταύτης τῆς ἀρχῆς. ὅλως δὲ διετέλουν νοσοῦντες τὰ πρὸς ἑαυτούς, 3
 οἱ μὲν ἀρχὴν καὶ πρόφασιν ἔχοντες τὴν τῶν χρεῶν ἀποκοπήν,
 συνεβεβήκει γὰρ αὐτοῖς γεγόνεναι πένησιν, οἱ δὲ τῇ πολιτείᾳ
 15 δυσχεραίνοντες διὰ τὸ μεγάλην γεγόνεναι μεταβολήν, ἔνιοι δὲ
 διὰ τὴν] πρὸς ἀλλήλους φιλονικίαν. ἦσαν [δ'] αἱ στάσεις τρεῖς, 4
 μία μὲν τῶν παραλίων, ὧν προειστήκει Μεγακλῆς ὁ Ἀλκμέανος,
 οἱ [τ'] περ ἐδόκουν μάλιστα διώκειν τὴν μέσσην πολιτείαν· ἄλλη δὲ
 τῶν πεδιακῶν, οἱ τὴν ὀλιγαρχίαν ἐζήτουν, ἡγήτο δ' αὐτῶν Λυ-
 20 κούργος· τρίτη δ' ἡ τῶν διακρίων, ἐφ' ᾗ τεταγμένος ἦν Πεισίστρα-

11 δύναμιν εἶχεν Berol. αἰεὶ Berol. (H-L): αἰεὶ (K, K-W, B). 12 νοσοῦντες
 om. Berol. 15 δέ: μὲν Berol. 16 ἦσαν [δ'] K, H-L: ἦσαν δὲ Berol. (K-W, B).
 18 αἰετ: οἱ δὲ (ut videtur) Berol. δέ: 'an δ' ἡ?' Blass. 19 ἐζήτουν: ἐζήλουν hic
 et c. 34 § 3 coniecit Bury (H-L).

TESTIMONIA. 16—20 Schol. Arist. *Vesp.* 1223...κατὰ γὰρ τοὺς Σόλωνος νόμους
 τρεῖς ἦσαν αἱ τάξεις (sic), μία μὲν τῶν παραλίων, ὧν προειστήκει Μεγακλῆς,
 ἑτέρα δὲ τῶν πεδίων, ὧν προειστήκει Λυκούργος, τρίτη δὲ τῶν διακρίων, ὧν
 προειστήκει Πεισίστρατος.

(Schol. on Plat. *Asiarch.* p. 253, Moeris, s. v. γεννηταί). But ἄγροικοι is the term used in Dion. Halic. ii 8 (after mentioning the εὐπατρίδας), ἀγροίκους δὲ (ἐκάλουν) τοὺς ἄλλους πολίτας οἱ τῶν κοινῶν οὐδενὸς ἦσαν κύριοι· σὺν χρόνῳ δὲ καὶ οὗτοι προσελήφθησαν ἐπὶ τὰς ἀρχάς. Cf. Hesych. s. v. ἀγροῖωται· ἄγροικοι. καὶ γένος Ἀθήνησιν, οἱ ἀντιδιεστέλλοντο πρὸς τοὺς Εὐπατρίδας. ἦν δὲ τῶν γεωργῶν. καὶ τρίτον τὸ τῶν δημιουργῶν. (Landwehr in *Philologus*, Suppl. v, 1889, p. 139—155, *Die drei Stände in Attika*.)

§ 3. νοσοῦντες] of faction, c. 6 near end.

οἱ μὲν...οἱ δὲ...ἔνιοι δὲ] The first two are different sections of the Eupatridae, some of whom resented the loss of money involved in Solon's σεισάχθεια, while others lamented the loss of political influence; besides these, a few were actuated by the mere spirit of factious rivalry.

§ 4. στάσεις τρεῖς...τῶν παραλίων...τῶν πεδιακῶν...τῶν διακρίων] Hdt. i 59, (Peisistratus) στασιάζοντων τῶν παραλίων καὶ τῶν ἐκ τοῦ πεδίου Ἀθηναίων, καὶ τῶν μὲν προσεισάχθαι Μεγακλῆος τοῦ Ἀλκμέανος τῶν δὲ ἐκ τοῦ πεδίου Λυκούργου Ἀριστολαίδεω, καταφρονησας τὴν τυραννίδα ἡγήρει τρίτην στάσιν, συλλέξας δὲ στασιώτας καὶ τῷ λόγῳ τῶν ὑπερακρίων, προστάς μηχανάται τοιάδε. (Dion. Hal. i 13, ὡς ὑπερακρίων τινὰς καὶ παρα-

λίους Ἀθήνησιν.) Plut. *Sol.* 29, οἱ δὲ ἐν δαστείεστασιάζον ἀποδημοῦντος τοῦ Σόλωνος· καὶ προειστήκει τῶν μὲν Πεδίων Λυκούργος, τῶν δὲ Παράλων Μεγακλῆς ὁ Ἀλκμαίωνος, Πεισίστρατος δὲ τῶν Διακρίων, ἐν οἷς ἦν ὁ θητικὸς ὄχλος καὶ μάλιστα τοῖς πλουσίοις ἀχθόμενος. id. 13 (of the στάσεις just before the legislation of Solon), τὴν παλαιὰν ἀθις στάσιν ὑπὲρ τῆς πολιτείας ἐστασίαζον, ὅσας ἡ χώρα διαφοράς εἶχεν, εἰς τὸσαῦτα μέρη τῆς πόλεως διαστάσης· ἦν γὰρ τὸ μὲν τῶν Διακρίων γένος δημοκρατικώτατον, ὀλιγαρχικώτατον δὲ τὸ τῶν Πεδίων· τρίτον δ' οἱ Πάραλοι μέσον τινα καὶ μεμυγμένον αἰρούμενοι πολιτείας τρόπον ἐμποδῶν ἦσαν καὶ διεκώλυνον τοὺς ἑτέρους κρατῆσαι (*Moralia* 805 D τῶν Διακρίων...τῶν Πεδίων...τῶν Παραλίων, 763 D Παράλων, Ἐπακρίων, Πεδίων). Πεδίεις is the form found in Diog. Laert. i 58, and Schol. on Arist. *Vesp.* 1223, a confused account (founded on this passage, see *Testimonia*), in which the τάξεις, as they are there called, are apparently regarded as the result of Solon's legislation. Suidas s. v. Πάραλοι mentions the Πεδίασιοι καὶ Διάκροιο.

On these three parties, cf. Schömann, *Anst.* p. 327 f., E. T.; Gilbert, i 126 f.; Duncker, 6, 447 f.

For the form πεδιακῶν, cf. *Pol.* viii (v) 1305 a 21—24, πάντες δὲ τοῦτο ἔδρων ὑπὸ τοῦ δήμου πιστευθέντες, ἡ δὲ πίστις ἦν ἡ

5 τος, δημ[οτ][ε]ώτατος εἶναι δοκῶν. προσεκεκόσμηντο δὲ τούτοις· οἳ τε ἀφ[η]ρημένοι τὰ χρέα διὰ τὴν ἀπορ[ι]αν, καὶ οἱ τῷ γένει μὴ καθαροὶ διὰ τὸν φόβον· σημείον δ', ὅτι μετὰ τὴν <τῶν> τυράννων κατὰλυσιν ἐποίησαν διαψηφισμόν ὡς πολλῶν κοινωνούντων τῆς πολιτείας οὐ προσήκον. εἶχον δ' ἕκαστοι τὰς ἐπωνυμίας ἀπὸ τῶν 25 τ[ό]πων ἐν οἷς ἐγεώργουν.

21 προσεκεκόσμητο H-L, Kontos, Gennadios; προσενέμητο Butcher, coll. Dem. Ol. ii 29 προσενέμησθε οἱ μὲν ὡς τούτους, οἱ δὲ ὡς ἐκείνους, *Ερ.* iii 2 ταῖς τοῦ δήμου προαίρεσιν προσένειμεν ἐαυτὸν, *Aristot.* i 43 προσένειμότες αὐτοὺς τούτῳ. 23 τῶν addiderunt Rutherford, Blass, Gennadios, K-W, H-L (K³). 24 ΔΙΑΦΗΜΙΣΜΟΝ: διαψηφισμὸν scripsi, idem scripserunt Blass, K-W, H-L (K³).

ἀπέχθεια ἢ πρὸς τοὺς πλουσίους, οἷον Ἀθήνησσι τε Πεισίστρατος στασιάζας πρὸς τοὺς πεδιακοίς.

δημοτικώτατος] 14 § 1; 16 § 8; 22 § 3. § 5. προσεκεκόσμηντο] 'had joined their ranks'; the compound verb is not found elsewhere in this sense.

οἱ τε—φόβον] The faction of Peisistratus was joined by those whom Solon's legislation had deprived of the debts due to them. The allegiance of these was prompted by their losses. Peisistratus was also joined by those who were not of pure descent. The latter were afraid of the oligarchical faction gaining the ascendancy and depriving them of the privileges of citizenship in consequence of their inferior birth. Landwehr, who doubts whether the parties really existed before the time of Solon (*Philol. Suppl.* v 155), suggests that οἱ ἀφηρημένοι τὰ χρέα are the capitalists belonging to the παράλιοι who had lost their money, whereas the πεδιακοί still had their land.

σημεῖον δ'—προσῆκον] The writer infers that the party of Peisistratus included persons of dubious origin from the fact that, after the rule of the Peisistratidae was brought to an end, there was a revision of the list of citizens. Cf. note on 8 § 1, *ὅθεν ἐτι διαμένει*.

διαψηφισμόν] The word occurs in Athenaeus, 218 A, διαψηφισμὸς ὁ γενόμενος κατὰ τῶν Ἑρασινίδην στρατηγῶν. The verb is used in c. 42 § 1, l. 4, διαψηφίζονται. The admission of citizens took place in their 18th year, when, if their title to citizenship was sufficiently proved, they were entered on the register called *ληξιαρχικὸν γράμματιον* and (probably two years afterwards) in the *πινὰξ ἐκκλησιαστικός*. The lists of citizens were revised on special occasions, particularly when there was reason for suspecting that a number of persons had been improperly regis-

tered. The names were then read one by one from the register, and, as each was read, it was asked whether any objections were to be made to it. Such objections were discussed and evidence brought forward, so that the matter could not be despatched in one assembly, but required several meetings of the members of the deme (Dem. *Eubulides* § 9 seq.). If, finally, a vote was taken, and the result was unfavourable, the name was struck out (Schömann, *Ant.* 368 f. E. T.). See esp. Dem. *Eubul.* (an appeal against the vote of the δημοταί, who had struck the speaker off their list) § 7, ἐν τοῖς δημοταῖς—τὴν διαψηφίαν γενέσθαι, § 15, περὶ πάντων τῶν δημοτῶν διαψηφίσασθαι, § 62 τῇ προτέρᾳ διαψηφίσει. Hitherto, the earliest known revision of the roll of citizens has been that in the archonship of Lysimachides B.C. 445/4 (Philochorus in Schol. on Ar. *Vesp.* 718; Plut. *Pericles* 37. Philippi, however, contends that the procedure of διαψηφίσις was not resorted to on this occasion, *Bürgerrecht*, pp. 34—49). The next was in the archonship of Archias, 346 B.C. Cf. Harpocr. s. v. διαψηφίσις: Ἰδίου λέγεται ἐπὶ τῶν ἐν τοῖς δήμοις ἐξετασέων, αἱ γίνονται περὶ ἐκάστου τῶν δημοτενομένων, εἰ τῷ ὅτι πολίτης καὶ δημότης ἐστὶν ἢ παρεγγέγραπται ξένος ὢν· Ἀσχίτης κατὰ Τιμάρχου (§ 77, γεγόνاسι διαψηφίσεις ἐν τοῖς δήμοις, καὶ ἕκαστος ὑμῶν ψήφον δέδωκε περὶ τοῦ σώματος, ὅστις Ἀθηναῖος ὅτως ἐστὶ καὶ ὅστις μὴ). ἐντελέστατα δὲ διελέκται περὶ τῶν διαψηφίσεων, ὡς γεγένησιν ἐπὶ Ἀρχίου ἀρχοντος, Ἀνδροτίων ἐν τῇ Ἀθλίδι καὶ Φιλόχορος ἐν 5^ῃ τῆς Ἀθλίδος. Cf. Schol. Aeschin. i §§ 77, 114; Hermann, *Staatsall.* § 121, 19, and Meier and Schömann, p. 989 Lips. εἶχον δ' ἕκαστοι—ἐγεώργουν] 'These parties derived their respective designations from the districts in which they held their lands,' the Plain, the Shore

14. δημοτικώτατος δ' εἶναι δοκῶν ὁ Πεισίστρατος, καὶ σφόδρ' εὐδοκιμηκῶς ἐν τῷ πρὸς Μεγαρέας πολέμῳ, κατατραυματίσας ἑαυτὸν συνέπεισε τὸν δῆμον, ὡς [ύ]π[ὸ] τῶν ἀντιστασιωτῶν ταῦτα πεπονθ[ώ]ς, φυλακὴν ἑαυτῷ δοῦναι τοῦ σώματος, Ἀριστίωνος 5 [γ]ρ[ά]ψαντος τὴν γνώμην. λαβὼν δὲ τοὺς κορυνηφόρους καλου-

XIV 2 εὐδοκιμηκῶς H-L.

3 ὑπὸ K-W (K², B): παρὰ K¹.

and the Mountain (or Highlands). The men of the *Mountain* led a hard life in the uplands of Parnes which afforded pasturage for sheep and goats, and were scantily supplied with the fruits of the field or of trees. (2) The men of the *Shore* enjoyed more abundant means of support in the building of boats, in ferrying and fishing, and in the manufacture of salt. (3) The men of the *Plain* formed the wealthiest class, with their groves of olives in the valley of the Cephissus and their fields of corn stretching inland from Eleusis. (Cf. Curtius, *H. G.*, i 311 E. T.) Grote, c. 11, ii p. 300 n, observes that Plutarch's description of the men of the Plain, as representing the oligarchical tendency, and the men of the Mountain, the democratical, is 'not quite accurate when applied to the days of Solon. Democratical pretensions, as such, can hardly be said to have existed.' Plutarch (or the authority he follows in c. 13) possibly makes these parties come into existence too early; elsewhere, c. 29, he places them after Solon's time, probably on the authority of the text, which distinctly describes the men of the Plain as oligarchical in spirit.

XIV § 1. εὐδοκιμηκῶς—πολέμῳ] Hdt. i 59, πρότερον εὐδοκίμησας ἐν τῇ πρὸς Μεγαρέας γενομένῃ στρατηγίῃ, Νισαίαν τε ἑλὼν καὶ ἄλλα ἀποδεξάμενος μεγάλα ἔργα. Plut., *Sol.* 8, mentions the long and distressing war with Megara for the possession of Salamis, and describes Peisistratus as taking the lead in supporting Solon in his endeavour to rouse the people to fight once more for the recovery of the island. At the end of c. 9 he says of Solon, ἐνίκησε τοὺς Μεγαρέας. He implies that the war for the possession of Salamis was the origin of Solon's influence in Athens; if so, it can hardly be put later than 600 B.C. But Daimachus of Plataea (third century B.C., quoted in Plut. *Sol. et Popl. comp.* 4) denied that Solon acted as general in the war against Megara. That Peisistratus took any prominent part in a war as early as 600 B.C. is improbable, as he lived to 527 B.C.

(Abbott, *H. G.*, i 400 n). Solon, who was some 30 years older than Peisistratus, took a leading part in the conquest of Salamis before he was archon, i.e. possibly about 600 B.C.; Peisistratus in the capture of Nisaea, probably about 570 B.C. (Busolt, i 521 n). Curtius (i 672, note 135) places the capture of Nisaea in 565, and Holm (i 481) shortly before the tyranny. In c. 17 we are told that the relative ages of Solon and Peisistratus make it impossible to accept the story that the latter was στρατηγός in the war with Megara for the possession of Salamis (i.e. the first Megarian war), in which Solon was concerned. Salamis and Nisaea were, however, recaptured by the Megarians (Plut. *Sol.* 12); and Peisistratus may have distinguished himself in a subsequent war with the Megarians for the recovery of the island.

κατατραυματίσας κτλ.] Hdt. i 59, τραυματίσας ἐκ τῆς ἐκείνου ὡς ἐκτεφενγίως τοὺς ἐχθρούς, ὃ μὲν ἐλαύνοντα ἐς ἀγρὸν ἤθλησαν ἀπολέσαι δῆθον, ἰδέετό τε τοῦ δήμου φυλακῆς τιμὴς πρὸς αὐτοῦ κυρῆσαι... ὃ δὲ δῆμος ὁ τῶν Ἀθηναίων ἐξαπατηθεὶς, ἔδωκε οἱ τῶν ἀστῶν καταλέξας ἀνδρας τοὺς οἱ δορυφόροι μὲν οὐκ ἐγένοντο Πεισιστράτου κορυνηφόροι δὲ· ξύλων γὰρ κορύνας ἔχοντες εἰκοντο οἱ ὀπισθεῖ· συνεπαναστάντες δὲ οὗτοι ἅμα Πεισιστράτῳ ἔσχον τὴν ἀκρόπολιν. Plut. *Sol.* 30 § 1, κατατρώσας αὐτὸς ἑαυτὸν ὁ Πεισίστρατος. Polyæn. i 21 § 3 and Diogen. Laert. i 60 have κατατρώσας, or κατέτρωσεν, ἰδ. § 66 ἑαυτῷ τραύματα ποιεῖσας. Diod. Sic. xiii 95 end, (of P.) ἑαυτὸν κατατραυματίσαντα προελθεῖν. κατατραυματίζω is also found in Polyb. xv 13 § 1, Dion. Halic. and Dio Cass.

Ἀριστίωνος κτλ.] Plut. *Sol.* 30 § 2, Ἀρίστωνος (sic) δὲ γράψαντος, ὅπως δοθῶσι πενήτηκοτα κορυνηφόροι τῷ Πεισιστράτῳ φυλακῇ τοῦ σώματος.

κορυνηφόρους] Plat. *Rep.* 566 B, τὸ δὲ τυραννικὸν αἷμα τὸ πολυθρύλητον... αἰτεῖν τὸν δῆμον φύλακας τινὰς τοῦ σώματος. Ar. *Rhet.* i 2, 19, Πεισίστρατος ἐπιβουλεύων ἦτιι φυλακῇ καὶ λαβῶν ἐνυράν-

μένους, ἐπαναστὰς μετὰ τούτων τῷ δήμῳ κατέσχε τὴν ἀκρόπολιν
 ἔτει †δευτέρῳ† καὶ τριακοστῷ μετὰ τὴν τῶν νόμων θέσιν, ἐπὶ
 2 Κ[ωμ]ίου ἀρχοντος. λέγεται δὲ Σόλων, Πεισιστράτου τὴν
 φυλακὴν αἰτοῦντος, ἀντιλέξαι καὶ εἰπεῖν [δ]τι τῶν μὲν εἴη
 σοφώτερος, τῶν δ' ἀνδρεῖο[τερο]ς· ὅσοι μὲν γὰρ ἀγνοοῦσι Πεισί-
 10 στρατον ἐπιτιθέμενον τυραν[νίδι], σοφώτερος εἶναι τούτων, ὅσοι δ'
 εἰδότες κατασιωπῶσιν, ἀνδρεῖοτερος. ἐπεὶ δὲ λέγων [οὐκ ἔπει]θεν,
 ἐξαράμενος τὰ ὄπλα πρὸ τῶν θυρῶν αὐτὸς μὲν ἔφη βεβηθηκέναι

† δευτέρῳ: δ' (=τετάρτῳ) K-W et Bauer (B). § ΠΙΣΙΣΤΡΑΤΟΥ ut saepe:
 Πεισ. ubique K³ etc. 12 ΚΑΤΑΣΙΩΠΩΝΤΕΣ: correxit K. οὐκ ἔπειθεν R D
 Hicks (K-W, H-L, K³). 13 ΕΞΑΙΡΑΜΕΝΟΣ: ἐξαράμενος K (K-W, H-L).

TESTIMONIA. 8—15. Verbis fere isdem rem narrat Aelianus, *Var. Hist.* viii 16:
 ... (Σόλων) ἔφη ὅτι τῶν μὲν ἐστὶ σοφώτερος, τῶν δὲ ἀνδρεῖοτερος· ὅποιοι μὲν μὴ γινώ-
 σκουσιν ὅτι φυλακὴν λαβὼν περὶ τὸ σῶμα τύραννος ἐστίν, ἀλλὰ τούτων μὲν ἐστὶ σοφώ-
 τερος· ὅποιοι δὲ γινώσκοντες ὑποσιωπῶσι, τούτων ἀνδρεῖοτερός ἐστιν. ὁ δὲ λαβὼν τὴν
 δύναμιν τύραννος ἦν. καθεζόμενος δὲ Σόλων πρὸ τῆς οἰκίας, τὴν ἀσπίδα καὶ τὸ δόρυ
 παραθέμενος ἔλεγεν ὅτι ἐξώπλισται καὶ βοηθεῖ τῇ πατρίδι ἢ δύναται.

νευσε. *Pol.* viii (v) 9, 1310 b 15, σχεδὸν
 γὰρ οἱ πλείστοι τῶν τυράννων γεγῆρασιν ἐκ
 δημαγωγῶν ὡς εἰπεῖν, πιστευθέντες ἐκ τοῦ
 διαβάλλειν τοὺς γνωρίμους, and *ib.* 30, οἶον
 ... Πεισιστράτος Ἀθήνησι... ἐκ δημαγωγίας
 τύραννος κατέστη.

κατέσχε τὴν ἀκρόπολιν] *Plut. Sol.*
 30 § 4, τὴν ἀκρόπολιν κατέσχε. *Phaedrus*
 i 2, 5, *arce[m] tyrannicam occupat Pisistratus*.
 The political importance of the citadel in
 revolutions is exemplified in *Juv.* x 307 n,
Lucan viii 490, *Diod. Sic.* xvi 70 § 4,
Plut. Timol. 20 § 1 (Mayor).

ἐπει—τριακοστῷ] As Comeas was
 archon in 560 B.C., it would follow
 from the manuscript text that Solon was
 archon in 591. But, as Solon was more
 probably archon in 594, *δευτέρῳ* should
 be altered into *τετάρτῳ*, the former being
 possibly a corruption of δ. We thus get
 an interval of 33 years and keep the usual
 date for Solon's archonship (Bauer, p.
 45 f).

ἐπὶ Κωμίου] *Plut. Sol.* 32, ἐπεβίωσε
 δ' ὅν ὁ Σόλων ἀρξαμένου τοῦ Πεισιστράτου
 τυρανεῖν, ὡς μὲν Ἑρακλείδης ὁ Ποντικὸς
 ἱστορεῖ, συχνὸν χρόνον, ὡς δὲ Φανίας ὁ Ἐρέ-
 σιος ἐλάττωσα διούσιν ἐτών. ἐπὶ Κωμίου ἀρ-
 χοντος μὲν γὰρ ἤρξατο τυρανεῖν Πει-
 σιστράτος, ἐφ' Ἠγεστράτου δὲ Σόλωνά
 φησιν ὁ Φανίας ἀποθανεῖν τοῦ μετὰ Κωμίου
 ἀρξαντος. (Plutarch is possibly quoting
 from the work of Phantias, on *τυράννων*
ἀναρρεσις ἐκ τυμωρίας. Oncken, *Staatslehre*,
 ii 445 n.)

The present treatise and the *Politics*, v

5, 23, agree in stating that Peisistratus
 lived for 33 years after usurping the
 government of Athens; the Peisistratidae
 ruled for 18 years (*Pol. l.c.*), and the
 interval between their expulsion and the
 battle of Marathon was 19 years (*Thuc.*
 vi 59). Thus the rule of Peisistratus be-
 gan 70 years before B.C. 490, i.e. in 560.
 The year given by the Parian Marble
 (297+264/3=) 561/0 (as well as by
 Jerome and the Armenian version of
 Eusebius) must be corrected to 560
 (Clinton's *Fasti*, *sub anno*).

§ 2. εἰπὼν ὅτι τῶν—ἀνδρεῖοτερος] *Plut.*
Sol. 30, ὁρῶν δὲ τοὺς μὲν πένητας ὠρμημέ-
 νους χαρίζεσθαι τῷ Πεισιστράτῳ καὶ θορυ-
 βοῦντας, τοὺς δὲ πλουσίους ἀποδιδράσκοντας
 καὶ ἀποδειλιώοντας, ἀπῆλθεν εἰπών, ὅτι τῶν
 μὲν ἐστὶ σοφώτερος, τῶν δὲ ἀνδρεῖοτερος·
 σοφώτερος μὲν τῶν μὴ συνιέντων τὸ πραττό-
 μενον, ἀνδρεῖοτερος δὲ τῶν συνιέντων μὲν,
 ἐναντιοῦσθαι δὲ τῇ τυραννίδι φοβουμένων.
 Cf. *Diog. Laert.* i 49—50, 65; *Aelian*
Var. Hist. viii 16 (who tells the story in
 almost the same words as the text); and
Aristid. i 765 Dind. The story is also told
 in *Valer. Max.* v 3 E 3, viii 9 E 1.

ἐξαράμενος τὰ ὄπλα] *Plut. Sol.* 30,
 οὐδενὸς δὲ προσέχοντος αὐτῷ διὰ τὸν φόβον
 ἀπῆλθεν εἰς τὴν οἰκίαν τὴν ἑαυτοῦ καὶ
 λαβὼν τὰ ὄπλα καὶ πρὸ τῶν θυρῶν θέμενος
 εἰς τὸν στενωπὸν, “ἔμοι μὲν” εἶπεν “ὡς
 δυνατόν ἦν βεβοήθηκα τῇ πατρίδι καὶ τοῖς
 νόμοις.” *Moralia* 794 E, ὁ δὲ Σόλων, τῆς
 Πεισιστράτου δημαγωγίας ὅτι τυραννικὸν
 ἦν μηχανήμα φανερὰς γενομένης, μηδεὸς

τῇ πατρίδι καθ' ὅσον ἦν δυνατός (ἤδη γὰρ σφόδρα πρεσβύτης ἦν),
 15 ἀξιοῦν δὲ καὶ τοὺς ἄλλους ταὐτὸ τοῦτο ποιεῖν. Σόλων [μέν οὖν 3
 οὐ]δὲν ἤνυσεν τότε παρακαλῶν Πεισίστρατος δὲ λαβὼν τὴν
 ἀρχὴν διώκει τὰ κοινὰ πολιτικῶς μᾶλλον ἢ τυραννικῶς. οὐπω δὲ
 τῆς ἀρχῆς ἐρριζωμένης ὁμοφρονήσαντες [οἱ] περὶ τὸν Μεγακλέα
 καὶ τὸν Λυκοῦ[ργο]ν ἐξέβαλον αὐτὸν ἔκτφ ἔτει μετὰ τὴν πρώτην

16 ἤνυσε H-L.

ἀμύνεσθαι μηδὲ κωλύειν τολμῶντος, αὐτὸς
 ἐξενεγκάμενος τὰ δπλα καὶ πρὸ τῆς οἰκίας
 θέμενος, ἤξιον βοηθεῖν τοὺς πολίτας. Diod.
 Sic. ix 29 Bekker, οὐδενὸς δὲ αὐτῷ προσέ-
 χοντος ἀναλαβὼν τὴν πανοπλίαν προήλθεν
 εἰς τὴν ἀγορὰν γεγραπκῶς, καὶ τοὺς θεοὺς
 ἐπιμαρτυρούμενος ἔφησε καὶ λόγῳ καὶ ἔργῳ
 τῇ πατρίδι κινδυνεύουσα βεβωθηκέναι τὸ
 κατ' αὐτὸν μέρος. Grote, ii 352, says of
 this incident, as related by Plutarch:
 'As a last appeal, he put on his armour
 and *planted himself* in military posture
 before the door of his house.' θέμενος,
 however, is not used absolutely, but must
 be construed with δπλα.

§ 3. πολιτικῶς μᾶλλον ἢ τυραννικῶς]
 Cf. inf. c. 16 § 8. Hdt. i 59, οὐτε τιμὰς τὰς
 εὐούσας συνταράξας οὐτε θέσιμα μεταλλάξας,
 ἐπὶ τε τοῖσι κατεστειώσι ἔνεμε τὴν πόλιν
 κοσμέων καλῶς τε καὶ εὖ. Thuc. vi 54.
 For πολιτικῶς, cf. (with Mr Wyse) Isocr.
 iv 79, 151; ix 46, Ep. ii 3.

οὐπω δὲ—ἐξέβαλον αὐτόν] Hdt. i 60,
 μετὰ δὲ οὐ πολλὸν χρόνον τῷτὸ φρονή-
 σαντες ὅτι τοῦ Μεγακλέος στασιώται καὶ
 οἱ τοῦ Λυκοῦργου, ἐξελαύνουσι μιν. οὐτω
 μὲν Πεισίστρατος ἔσχε τὸ πρῶτον 'Αθήνας,
 καὶ τὴν τυραννίδα οὕκω κάρτα ἐρριζωμέ-
 νην ἔχων ἀπέβαλε.

[ἔκτφ ἔτει] The sixth year from 560/59
 would be 555/4.

The following are the notes of time
 given in the manuscript text for the
 chronology of Peisistratus:

14 § 1. Beginning of rule. ἐπὶ Κωμέων.
 14 § 3. First exile. ἔκτφ ἔτει.
 14 § 4. First return. ἔτει δωδεκάτῳ
 μετὰ ταῦτα.

15 § 1. Second exile. ἔτει μάλιστα
 ἐβδόμῳ.

15 § 2. Second return. ἐνδεκάτῳ...
 ἔτει.

17 § 1. Total duration of rule. (ἐτη)
 ἐνὸς δέοντα εἰκοσι.

ib. Death, 33 years from beginning
 of rule. ἐπὶ Φιλονέῳ ἀρχοντος.. ἐτη τρι-
 ἀκοντα καὶ τρία.

The above data alone account for a
 total of at least (5+11+6+10=) 32
 years; and, as Peisistratus lived for

33 years after usurping the government,
 they leave only one year for the third
 period of rule. But c. 17 § 1 tells us
 that he ruled for 19 years in all; if so,
 his third period of rule must have lasted
 (19-5-6=) 8 years. On the other
 hand, the passage in *Pol.* v 9 § 23, p. 1315
 b 32, gives 17 years for the total duration
 of his rule, thus leaving 6 years for the
 third period. The chronology has been
 much discussed both before and after the
 discovery of this treatise. The following
 table gives a conspectus of some of the
 arrangements proposed. As typical in-
 stances, before the discovery of this treat-
 ise, I have selected Clinton (*Fasti*, vol. ii,
 Appendix II) and Busolt (i 551). To
 these I have added the years as arranged
 by Bauer (*Forschungen zu Ar. 'Aθ. πολ.*),
 and Poland (in the notes to his German
 transl.). Thus far the chronology pro-
 posed accords, in the total number of
 years of rule and exile, with the data in
 the *Politics*. The other two estimates,
 those of Mr Kenyon and M. Th. Reinach,
 adhere more closely to the data of the
 present treatise.

	Clinton	Busolt	Bauer	Poland	Kenyon	Reinach
1st τυραννίς	6	5	5	5	5	5
1st exile	6	5	6	6	4	3
2nd τυραννίς	1	1	1	6	6	6
and exile	10	11	10	10	10	10
3rd τυραννίς	10	11	12	6	8	c.9
years of τυραννίς	17	17	17	17	19	c.20
years of exile	16	16	16	16	14	c.13

It will be observed that there is a
 general consensus as to the duration of
 the first τυραννίς and the second exile.
 The greatest discrepancies are in the
 duration of the second and third τυραννίς.

4 κατὰστασιν, ἐφ' Ἡγησίου ἄρχοντος. ἔτει δὲ †δωδεκάτῳ† μετὰ το
ταῦτα περιελαυνόμενος ὁ Μεγακλῆς τῇ στάσει, πάλιν ἐπικηρυκευ-
σάμενος πρὸς [τὸ]ν Πεισίστρατον ἐφ' ᾧ τε τὴν θυγατέρα αὐτοῦ
λήψεται, κατήγαγεν αὐτὸν ἀρχαϊκῶς καὶ λίαν ἀπλῶς. προ-
διασπείρας γὰρ λόγον ὡς τῆς Ἀθηνᾶς καταγούσης Πεισίστρατον,
καὶ γυναῖκα μεγάλην καὶ καλὴν ἐξευρών, ὡς μὲν Ἡρόδοτος φησιν 25
ἐκ τοῦ δήμου τῶν Παιανίων, ὡς δ' ἔνιοι λέγουσιν ἐκ τοῦ Κολλυτοῦ
στεφανόπωλιν Θράτταν, ἣ ὄνομα Φύη, τὴν θεὸν ἀπομιμησάμενος
τῷ κόσμῳ συν[εισή]γαγε[ν] μετ' αὐτοῦ, καὶ ὁ μὲν Πεισίστρατος

20 δωδεκάτῳ (K, H-L): τετάρτῳ Thompson (K-W¹); πέμπτῳ K-W².

21 ταῦτα:

ταύτην Bauer.

23 ἀρχαϊκῶς ἀρχαϊκῶς (K, H-L, B), cf. *Met.* 1089 a 2 Bonitz ἀρχαϊκῶς ἀπορήσαι: ἀρχαίως H-W, cf. *Pol.* 1330 b 33 *ἴαν ἀρχαίως ὑπολαμβάνουσιν.*

25 [καὶ] γυναῖκα K-W². φησιν: φη. 26 Παιανίων H-L. ΚΟΛΥΤΟΥ, etiam altera T, et fortasse altera Λ, suprascripta.

28 συνεισήγαγεν (H-L, K²) potius quam κατήγαγεν (K¹, K-W) in papyro legi putat K; εἰσήγαγε coniecerat Richards.

23 *Plut. Sol.* 3 § 5 (de alia re) ἀπλοῦς ἐστὶ *ἴαν καὶ ἀρχαίως*, unde apparet hanc narrationem Plutarcho fuisse notam.

In the first exile, Bauer and Poland assume that *ἔτει δωδεκάτῳ* (14 § 4) is reckoned from the beginning of the usurpation and that *μετὰ ταῦτα* is to be either omitted or altered into *μετὰ ταύτην*; while Mr Kenyon and M. Reinach alter *δωδεκάτῳ* into *τετάρτῳ*. In the second *τυραννίς*, Bauer alters *ἔτει...ἐβδόμῳ* (15 § 1) into *μνη...ἐβδόμῳ*. For the length of the third *τυραννίς* we have no data except those gained by subtracting the two earlier periods of rule from the total duration of actual rule. Of the above arrangements, Mr Kenyon's alone strictly adheres to the total of 19 years. The 19 years of this treatise do not seem to admit of being reconciled with the 17 years of the *Politics*. It is suggested by Bauer that the difference may be obtained by supposing that the fractions of the years in the three periods of rule were excluded in one reckoning and included in the other. This would imply that each of the three periods of rule, as estimated in the present treatise, extended to an average of two-thirds of a year beyond the duration stated in the *Politics*. This is possible, but not probable. It may be added that the genuineness of the passage in the *Politics* is not certain. Susemihl, in his 2nd and 3rd editions, brackets the whole of the paragraph in which it occurs; and, even if both passages are equally due to Aristotle, the present treatise may possibly represent his latest views.

§ 4. *ἔτει δωδεκάτῳ μετὰ ταῦτα*] This would naturally mean 'eleven years after the first exile.' But the sum of the two periods of exile was (according to 17 § 1) 33-19, or 14 years; and the second exile lasted 10 years (15 § 2), leaving only four years for the first exile. Such a number of years may perhaps be obtained by altering *δωδεκάτῳ* into *τετάρτῳ* (see *N. C.*), and by assuming that the symbol δ followed by the erroneous explanation *δεκάτῳ* led to the reading *δωδεκάτῳ*. Another alternative (adopted in Kaibel and Kiessling's transl.) is to count the eleven years from the beginning of the rule of Peisistratus. This involves either omitting *μετὰ ταῦτα* or altering it into *μετὰ ταύτην* (*τὴν πρώτην κατὰστασιν*). See Bauer, p. 50 f.

περιελαυνόμενος κτλ.] *Hdt.* i 60, *περιελαυνόμενος δὲ τῇ στάσει ὁ Μεγακλῆς ἐπικηρυκέετο Πεισιστράτῳ, εἰ βούλοιντο αὐτὴν θυγατέρα ἔχειν γυναῖκα ἐπὶ τῇ τυραννίδι.*

θυγατέρα] *Κοισύραν*, Schol. *Arist. Nub.* 49, 800, and *Suidas*, s. v.

Ἡρόδοτος] i 60 *ad fin.*, *ἐν τῷ δήμῳ τῷ Παιανίῳ*. This is the only passage in which any writer of prose is named in this treatise. The only poet quoted by name is Solon.

Κολλυτοῦ] *Wachsmuth, Stadt Athen*, ii 262 f.

Φύη] The Schol. on *Arist. Eq.* 449 calls her *Μυρρίνη*.

ἐφ' ἄρματος εἰσήλανε παραιβατοῦσης τῆς γυναικός, οἱ δ' ἐν τῷ
30 ἄστει προσκυνούντες ἐδέχοντο θαυμάζοντες.

15. ἡ μὲν οὖν πρώτη κάθοδος ἐ[γένε]το τοιαύτη. μετὰ δὲ
ταῦτα, ὡς ἐξέπεσε τὸ δεύτερον ἔτει μάλιστα ἐβδόμῳ μετὰ τὴν
κάθοδον,—οὐ γὰρ πολὺν χρόνον κατεῖχεν, ἀλλ[ὰ] διὰ τὸ μὴ
βούλεσθαι τῇ τοῦ Μεγακλέους θυγατρὶ συγγίγνεσθαι φοβηθεὶς ἀμ-
5 φοτέρας τὰς στάσεις ὑπεξῆλθεν· καὶ πρῶτον μὲν συνώκισε περὶ 2
τὸν Θερμαῖον κόλπον χωρίον δὲ καλεῖται 'Ραϊκήλος, ἐκείθεν δὲ
παρῆλθεν εἰς τοὺς περὶ Πάγγαιον τόπους, ὅθεν χρηματισά-

30 προσκυνούντες delet Gennadios τοῦ θαυμάζοντες interpretamentum arbitratus.
θαυμάζοντες delet Richards (H-L), defendit Gennadios coll. Xen. *Hell.* i 6, 11.

XV 2 ΤΑΥΤΑΩΣΕΞ (K, B): ταῦτ' ἐξέπεσε K-W. ταῦτ' αὖθις ἐξέπεσε Gennadios (H-L).
ἐβδόμῳ: τρίτῳ conii. K-W. 3 ΚΑΤΕΣΧΕΝ, κατεῖχεν Wyse (K-W, H-L, K'): δια-

κατέσχεν B. 4 ΣΥΓΓΙΝ (K-W). 5 συνώκισε: ὤκισε conii. Gennadios, Hude

i λ
(H-L, B). 6 ΡΑΚΗΔΟΣ.

παραιβατοῦσης] A noteworthy Ionism, but not derived from the account in Hdt. The same word is used as a reference to the same incident in Cleidemus, *ap.* Athenaeum, 600 C, στεφανώπω-
λις δὲ ἦν, καὶ αὐτὴν ἐξίδωκε πρὸς γάμου
κουνωνίαν ὁ Πεισιστράτος Ἰππάρχῳ τῷ υἱῷ,
ὡς Κλειδῆμος ἱστορεῖ ἐν ὀγδόῳ νύκτων·
“ἐξίδωκε δὲ καὶ Ἰππάρχῳ τῷ υἱεὶ τὴν
παραιβατήσασαν αὐτῷ γυναῖκα Φύνην,
τὴν Σωκράτους θυγατέρα” (Müller, *FHG* i
364). Cleidemus, who wrote an *Atthis*
(Athen. 235 A), has been identified with
Cleitodemus, mentioned by Pausanias
(x 15, 5) as the most ancient writer of
Athenian history. Plutarch (*Arist.* 19)
refers to his account of the battle of
Plataea; so that his date is after 479 B.C.

The story is also told in Polyæn. i 21,
1; Val. Max. i 3, 3; Hermogenes *de*
Invent. ii 185, 21 Spengel, with Schol.;
and Phylarchus *ap.* Athen. 600 C (Mayor).

XV § 1. ἔτει μάλιστα ἐβδόμῳ] It has
been urged by Bauer (p. 51) and Rühl
(*Rhein. Mus.* 1891, p. 442), that it is impro-
bable that Megacles waited so long as six
years to avenge the neglect of his daughter
by her husband, Peisistratus; and the text
implies that the duration of the second
τυραννὶς was short. Bauer accordingly
suggests that ἔτει should be altered into
μηνί, and for similar reasons K-W alter
ἐβδόμῳ into τρίτῳ. On the other hand it
is plausibly suggested by Gomperz (p.
23 n) that the compact between Megacles
and Peisistratus was made before the daugh-
ter of the former had attained a
marriageable age.

τῇ τοῦ Μεγακλέους θυγατρὶ] Hdt. i 61,
οἳ δὲ παῖδων τέ οἱ ὑπαρχόντων νενηνῶν
καὶ λεγομένων ἐναγίων εἶναι τῶν Ἀλαμει-
νιδέων, οὐ βουλευμένους οἱ γενέσθαι ἐκ τῆς
νεογάμου γυναικὸς τέκνα ἐμίσσητο οἱ οὐ
κατὰ νόμον.

ὑπεξῆλθεν] Hdt. i 61, ἀπαλλάσσετο
ἐκ τῆς χώρας τὸ παράπαν, ἀπικόμενος δὲ
ἐς Ἐρετρίαν ἐβουλεύετο ἅμα τοῖς παῖσι.
Herodotus mentions the help offered by
the Thebans and Argives, and by Lygdamis
of Naxos, and then continues: ἐξ Ἐρε-
τρῆς δὲ ὁρμηθέντες διὰ ἐνδεκάτου ἔτους
ἀπίκοντο ὅπλῳ. Eretria alone is there
mentioned in connexion with this period
of exile.

§ 2. 'Ραϊκήλος] The Schol. on Lycophron, 1236, states that this was the old
name of Ἀἰνός in Macedonia. It is identi-
cal with the *Aineia* of Hdt. vii 123, and is
situated to the S. of the promontory at the
extreme west of Chalcidice, opposite the
mouth of the Axios and Ludias. (There
was another Ἀἰνός in Thrace, near the
mouth of the Hebrus.)

τοῦ περὶ Πάγγαιον τόπους] the region
near the mouth of the Strymon. Though
Herodotus says nothing of this region in
connexion with the second exile of Pei-
sistratus, the account in the text is illus-
trated by the passage in which the historian
says of the tyrant on his final restoration:
(i 64), ἐρρίψωσε τὴν τυραννίδα ἐπικουρούσι
τε πολλοῖσι, καὶ χρημάτων συνδόμοι, τῶν
μὲν αὐτόθεν, τῶν δὲ ἀπὸ Στρυμόνος πο-
ταμοῦ συνιόντων. Here τῶν μὲν and τῶν
δὲ naturally refer to χρημάτων alone, and
συνιόντων in the second clause echoes

μενος καὶ στρατιώτας μισθωσάμενος, ἐλθὼν εἰς Ἑρέτριαν ἐνδε-
κάτῃ πάλιν ἔτει τό<τε> πρῶτον ἀνασφάσθαι βίαν τὴν ἀρχὴν
ἐπεχείρει, συμπροθυμουμένων αὐτῷ πολλῶν μὲν καὶ ἄλλων, 10
μάλιστα δὲ Θηβαίων καὶ Λυγδάμιος τοῦ Ναξίου, ἔτι δὲ τῶν
3 ἱππέων τῶν ἐχόντων ἐν Ἑρετρίᾳ τὴν πολιτείαν. || νικήσας δὲ τὴν
[Col. 6.]

9 τό<τε> Blass (K-W, H-L, K²).

ΑΝΑΩΘΑΝΘΑΙ, ἀνασφάσθαι K², B:

C

ΑΝΑΚΤΗΘΑΝΘΑΙ?, ἀνακτήσασθαι Herwerden (K-W).

TESTIMONIA. 12—13 *Schol. Arist. *Ach.* 234 Παλλήναδε: οἱ Παλληνεῖς δῆμός ἐστι τῆς Ἀττικῆς, ἐνθα Πεισιστράτῳ βουλομένῳ τυραννεῖν καὶ Ἀθηναῖοις ἀμυνομένοις αὐτὸν συνέστη πόλεμος... μέμνηται δὲ τούτου καὶ Ἀνδρότιων καὶ Ἀρ. ἐν Ἀθ. πολ. (Rose, *Frag.* 355², 393²).

συνόδοι (= προσόδοι) in the first. We may therefore agree with Thirlwall (ii p. 61), as against Grote (iii 92 n), who refers τῶν μὲν τοὺς χρημάτων and τῶν δὲ τοὺς ἐπικουρούσι. Thirlwall had said of Peisistratus that he 'possessed lands on the Strymon in Thrace, which yielded him a large revenue.' Grote thought this improbable, adding: 'If Peisistratus had established any settlement at the mouth of the Strymon, we must surely have heard something of it afterwards.' The text does not indeed tell us that Peisistratus made an actual settlement near that river, but it supplies us with exactly the kind of evidence which would have removed Grote's hesitation in accepting Thirlwall's inference from the account in Herodotus. The text tells us more than the historian. It informs us definitely that Peisistratus visited the region near the mouth of the Strymon, and thence drew his supplies of men, as well as of money.

It is interesting to notice these details respecting Rhaecelos and the country around Mount Pangaeus. The Pangaeian Mount is plainly visible across the gulf of the Strymon from the neighbourhood of Stageira; and the bold promontory, north of Rhaecelus, is in full view across the plains that extend to the mouth of the Ludias from the Macedonian capital at Pella. These topographical considerations may serve to support the ascription of the treatise to the authorship of Aristotle, who was a Macedonian by birth and spent the first seventeen years of his life, and seven years besides, at his native town of Stageira. In the *Historia Animalium*, pp. 592 a 7, 597 a 10, Aristotle makes special mention of the eels and the pelicans of the Strymon.

πάλιν confirms the account of Hdt., implying that Peisistratus had in the first

instance retired to Eretria, though we are not expressly told so in the text.

ἀνασφάσθαι... τὴν ἀρχήν] Hdt. i 73, ἀνασφάσθαι τὴν ἀρχήν, and in the same chapter ἀναλαβεῖν and ἀνακτᾶσθαι τὴν ἀρχήν.

Θηβαίων] Hdt. i 61, πολλῶν δὲ μεγάλα παρασχόντων χρήματα, Θηβαῖοι ὑπερεβόλοντο τῇ δόσει τῶν χρημάτων.

Λυγδάμιος] Hdt. l.c., καὶ γὰρ Ἀργεῖοι μισθωτοὶ ἀπικοῦντο ἐκ Πελοποννήσου, καὶ Νάξιος σφι ἀνὴρ ἀπικυμένος ἐβελοντή, τῷ οὐνομα ἦν Λύγδαμις. *Ar. Pol.* viii (v) 5, 1305 a 42, ὅταν ἐξ αὐτῆς συμβῇ τῆς ὀλιγαρχίας γίνεσθαι τὸν ἡγεμόνα, καθάπερ ἐν Νάξῳ Λύγδαμις, ὃς καὶ ἐτυράννησεν ὕστερον τῶν Ναξίων. The story of the way in which Lygdamis became tyrant of Naxos is quoted in *Athen.* viii 348, from Aristotle ἐν τῇ Ναξίων πολιτείᾳ. In consequence of the wrongs done by some Naxian youths to the wealthy and popular Telestagoras and his two daughters, ἀγανακτήσαντες οἱ Νάξιοι καὶ τὰ ὅπλα ἀναλαβόντες ἐπήλθον τοῖς νεανίσκοις· καὶ μεγίστη τότε στάσις ἐγένετο, προστατούντος τῶν Ναξίων Λυγδάμιδος, ὃς ἀπὸ ταύτης τῆς στρατηγίας τύραννος ἀνεφάνη τῆς πατρίδος. (*Frag.* 558 Rose².)

τῶν ἱππέων—πολιτείαν] 'the Knights who held the supreme power in the constitution of Eretria' (K.). *politeia* is here *ius civitatis*, *potestas in civitate*, often used in the *Politics* in the phrase μετέχεν τῆς πολιτείας (*Index Ar.* s. v. 3). Eretria was under the rule of an oligarchy of Knights, which was overthrown by one Diagoras, probably not long before the Persian wars, *Pol.* viii (v) 6, 1306 a 35, τὴν ἐν Ἑρετρίᾳ δ' ὀλιγαρχίαν τὴν τῶν ἱππέων Διαγόρας κατέλυσεν ἀδικηθεὶς περὶ γάμων, and vi (iv) 3, 1289 b 36, ἐπὶ τῶν ἀρχαίων χρόνων ὅσας πόλεις ἐν τοῖς ἱπποῖς ἡ δύναμις ἦν, ὀλιγαρχίαι παρὰ τούτοις ἦσαν.

ἐπὶ Παλληνίδι [μάχῃ]ν καὶ λαβὼν [τὴν ἀρχή]ν καὶ παρελόμενος τοῦ δήμου τὰ ὅπλα κατείχεν ἤδη τὴν τυραννίδα βεβαίως, καὶ 15 Νάξον ἐλὼν ἄρχοντα κατέστησε Λύγδαμιν. παρείλε[το] δὲ τοῦ 4 δήμου τὰ ὅπλα τόνδε τὸν τρόπον. ἐξοπλισίαν ἐν τ[ῷ] Θησείῳ

13 ἀναλαβὼν? Richards.

14—15 καὶ γὰρ Νάξον ἐλὼν κ-ω: καὶ Νάξον ἐλὼν κ³, β; καὶ εἰς Νάξον ἐλθὼν κ¹ (H-L). 15 παρείλετο Rutherford, κ-ω, H-L, κ³: παρείλεν κ¹.

16 ΕΞΟΠΛΑΣΙΑΝ retinuerunt Kontos, κ-ω, β, titulis nonnullis freti (Dittenberger 158, 11, titulo Iliensi post Alexandri mortem scripto, τῶν ἐξοπλισίων, et 349, 40, lapide in insula Ceo invento, ἐν τῇ ἐξοπλίσῃ ἐξετάζειν; eadem scriptura etiam in Diodori Siculi codicibus servata est). ΘΗΣΕΙΩΙ nunc in papyro legit κ (β): ΔΙΝΑΚΕΙΩΙ legunt κ-ω, quod ex Polyaeo quondam sumpserat κ¹ (H-L).

ἐχρῶντο δὲ πρὸς τοὺς πολεμικοὺς Ἴπποις πρὸς τοὺς ἀστυγέτωνας, ὅσον Ἐρετριεῖς καὶ Χαλκιδεῖς κτλ. An inscription preserved in the temple of Artemis, about a mile from the city, recorded that the Eretrians used to march to that temple with 3000 hoplites, 600 horsemen, and 60 chariots (Strabo, p. 448). Cf. Gilbert, *Gr. St.*, ii 67 n.

§ 3. τὴν ἐπὶ Παλληνίδι μάχην] On the way from Marathon to Athens. Hdt. i 62, ἐπὶ Παλληνίδος Ἀθηναίης ἱρὸν. The deme Pallene lay near Gargettos, between Pentelicus and the northern spurs of Hymettus. It has been proposed to place it S.E. of Hymettus, near *Koropi* (*Ath. Mittheilungen*, xvi 200—234); but this appears to have been the site of Sphettos, and the proposed identification does not suit the data in Hdt.; while the name of Pallene survives in *Ballána* between *Kantia* and *Hieraka* (Milchhöfer in *Berl. Phil. Wochenschr.*, 1892, no. 1 and 2). Cf. Arist. *Ach.* 233 βλέπειν Βαλλήναδε. In the Austrian map the name *Balánas* is given to a stream which rises near *Kantia* and falls into the sea at Araphen, after flowing in a direction parallel to the route by which Peisistratus marched to Athens round the S. of Pentelicus.

Νάξον—Λύγδαμιν] Hdt. i 64, καὶ γὰρ ταύτην ὁ Πεισίστρατος κατεστρέψατο πόλεμῳ καὶ ἐπέτρεψε Λύγδαμιν. Schol. Aristoph. *Vesp.* 355, Νάξος ἐλὼν ἐπὶ Πεισιστράτῳ.

As Polycrates came to the end of his rule of 16 years in B.C. 521, having been aided in its establishment by Lygdamis, it follows that Lygdamis was in power at Naxos in 537 (Duncker, *G. d. A.* vi 465 and 512). As Peisistratus, who restored Lygdamis, died in 527, it would follow that the third *tyrannis* probably lasted 10 or 11 years. The only alternative is to suppose that Lygdamis aided Polycrates

before he himself needed the aid of Peisistratus.

§ 4. παρείλετο—τὰ ὅπλα] characteristic of a *tyrannis*. *Pol.* viii (v) 10, 1311 a 12, τὸ τῷ πλήθει μὴδὲ πιστεύειν (ἰδοὺ καὶ τὴν παραίρεσιν ποιούντων τῶν ὅπλων).

ἐξοπλίσαν] Cf. Xen. *Anab.* i 7 § 10, ἐν τῇ ἐξοπλίσῃ, of an armed mustering of troops in preparation for a battle, the only passage in which the word is used by Xenophon. *Cyrop.* viii 5 § 9 ἐξοπλίσαις. ἐξοπλίζεσθαι occurs in *Anab.* i 8 § 3, ii 1 § 2, iv 6 § 7, v 9 § 11, ἐξοπλισμένοι iii 1 § 28, iv 3 § 3. Diodorus xix 3 ἐν ταῖς ἐξοπλίσαις φέρει πανοπλίαν.

The story is told as follows in Polyaeus i 21 § 2, Πεισίστρατος Ἀθηναίων τὰ ὅπλα βουλόμενος παρελθεῖν, παρήγγειλεν ἡκεῖν ἀπαντας εἰς τὸ Ἀνάκειον μετὰ τῶν ὅπλων. οἱ μὲν ἦκον· ὁ δὲ προήλθε βουλόμενος δημηγορῆσαι, καὶ μικρὰ τῇ φωνῇ λέγειν ἤρχετο. οἱ δὲ ἐξακούειν μὴ δύναμενοι, προελθεῖν αὐτὸν ἤξιωσαν εἰς τὸ προπύλαιον, ἵνα πάντες ἀκούσῃεν. ἐπεὶ δὲ ὁ μὲν ἡσυχῇ διελέγετο, οἱ δ' ἐντείναντες τὰς ἀκοὰς προσέειπον, οἱ ἐπικούροι προελθόντες ἀράμενοι τὰ ὅπλα κατήνεγκαν εἰς τὸ ἱερὸν τὸ Ἀγραυλόν. Ἀθηναῖοι δὲ γυμνοὶ καταλειφθέντες, τότε ἤσθοντο τῆς Πεισιστράτου βραχυφωνίας, ὅτι ἄρα ἦ τέχνασμα κατὰ τῶν ὅπλων.

The Ἀνάκειον, or temple of the *Dioscuri* or *Anakes* (Plut. *Thes.* 33, Cic. *Nat. Deor.* iii 53), mentioned by Polyaeus, stood S.E. of the market of the Ceramicus (Curtius, *Text der Sieben Karten*, p. 53; *Stadigeschichte von Athen*, pp. XLVI and 82). It was probably some way up the northern slope of the Acropolis. Lucian, *Piscator*, 42, humorously describes the philosophers 'planting their ladders against the Ἀνάκειον, and swarming up' the Acropolis. Anodides, *De Myst.* i 45, mentions a cavalry muster at the Ἀνάκειον, and Thucydides, viii 93, says that the hoplites who had destroyed the

ποιησάμενος ἐκκλησιάζειν ἐπεχείρει, [τῆς δὲ φωνῆς ἐχάλ]ασεν μικρόν· οὐ φασκόντων δὲ κατακούειν ἐκέλευσεν αὐτοὺς προσαν[α]-βῆ[ναι] πρὸς τὸ πρόπυλον τῆς ἀκροπόλεως ἵνα γεγώνῃ μᾶλλον. ἐν ᾧ δ' ἐκεῖνος διέτριβε δημηγορῶν, ἀνελόντες οἱ ἐπὶ τούτῳ 20

17 τῆς δὲ φωνῆς ἐχάλασεν coniecit Kontos (laudant H-L in praefatione, accepit K²): [φθέγγεσθαι δ' ἐσπούδ]ασεν K-W; ἐπιτηδὲς δ' ἐφώνησε Tyrrell et Gertz (H-L in textu). 20 Διέτριβε. 20—21 ΤΟΥΤ(ΩΝ). ΤΕΤΑΓ: τούτῳ Rutherford et J E B Mayor, coll. Plut. *Sulla* 14 § 10 Κουρίωνος ἐπὶ τούτῳ τεταγμένον (K², B), τούτο K-W, τούτ' ἐπιτεταγμένον H-L.

fort of Eetioneia ἔθετο ἐν τῷ Ἀνακλειῷ τὰ σπῆλα (Miss Harrison, *Mythology etc. of Athens*, 152).

The precinct of Agraules, also mentioned by Polyaeus, may be placed below the ancient stone staircase in the N. cliff of the Acropolis, some 60 yards W. of the N. Porch of the Erechtheum. (Cf. Curtius, *Stadigeschichte*, pp. XLIV, 37.)

The Θησεῖον is mentioned in the text. Its position is approximately determined by the description of Pausanias. After leaving the Gymnasium and the Θησεῖον, which are near one another and 'not far from the Agora,' he passes from the Θησεῖον to the Ἀνάκειον, and adds that above the latter is the precinct of Agraules (i 17 § 2, 18 §§ 1, 2). The Θησεῖον was probably E. of the Agora and is not to be confounded with the building on the 'hill of Colonus' within the walls, popularly called the 'Theseum,' but now generally identified as the temple of Hephaestus (Miss Harrison, *l. c.* 145, 118). According to Polyaeus, the weapons are at first left in the Ἀνάκειον and transferred to the Ἀγραιλίον. According to the text, they are left in the Θησεῖον and are then locked up εἰς τὰ πλησίον οἰκήματα τοῦ Θησείου, not 'the buildings near the Theseum,' as we might have expected, but 'the neighbouring buildings of the Theseum.' The latter phrase suggests that some other building than the Θησεῖον has already been mentioned, and this (so far as it goes) is in favour of ἐν τῷ Ἀνακλειῷ, although it is not in the MS. If ἐν τῷ Ἀνακλειῷ is accepted, it proves that the *Theseum* is near the *Anaceum*, below the N. cliff of the Acropolis (C. Wachsmuth, *Rheinisches Museum*, xli 327).

τῆς δὲ φωνῆς ἐχάλασεν μικρόν] Lucian, *Big Accus.* 21, χαλῶντες τοῦ τόνου, Aelian, *Hist. Anim.* xii 46.

With φθέγγεσθαι δ' ἐσπούδασεν μικρόν, printed by K-W, may be compared Dem.

F. L. 206, φθέγγεσθαι μέγιστον πάντων, 216, καλὸν καὶ μέγα οὗτος φθέγγεται, ... φαῦλον ἐγώ, 337, καλὸν φθεγγόμενον, *Pan.* 37 § 52, μέγα φθέγγεται, *Sleph.* 45 § 77, λαλεῖν μέγα, *Lysias* 16 § 19, μικρὸν διαλεγόμενοι. ἐσπούδασεν is not, however, convincing.

τὸ πρόπυλον] Apparently used on purpose to avoid the grander term προπύλαια, which would have been an anachronism in so far as it would have suggested the Propylaea of the time of Pericles. πρόπυλον itself is seldom used in the singular. Cic. *ad Att.* vi 1, 26, audio Appium πρόπυλον Eleusine facere, Plut. *Mor.* 363 F, ἐν τῷ προπύλῳ τοῦ ἱεροῦ τῆς Ἀθηνᾶς (at Sais), Plin. *N. H.* xxxv 101, *Minervae delubri propylon*, xxxvi 32, *in propulo Atheniensium*. Pliny may have borrowed this exceptional form from Heliodorus, who possibly lived under Ptolemy Epiphanes, and wrote a work on the Acropolis (Wachsmuth, *Stadt Athen*, i 36). The word is found (in pl.) in Hdt., Hippocrates, and in an inscription from Smyrna. Mr H. Richards accordingly suggests that it may be an Ionism. But the word is also found in an inscr. of the 5th century from the Peiraeus, CIA ii 521 c, p. 122, προπύλου δημοσίου δρος.

Traces of the foundations of this ancient portal have been noticed S. of the E. hall of the Propylaea. It faced S.W. (Milchhöfer in Baumeister, *Denkm.* i 201 a).

γεγώνῃ] Ar. *De Anima* ii 8, 420 a 1, διὰ τὸ ψαθυρὸς εἶναι ὁ ἀήρ ὡ γηγωνεῖ. περὶ ἀκουστών, 804 b 24, φθέγγονται μὲν ἀλλ' οὐ δύνανται γηγωνεῖν, ἀλλὰ μόνον φωβοῦσιν, cf. 802 b 6, a 23. *Probl.* 917 b 21, ὁ αὐτὸς τῇ αὐτῇ φωνῇ πορρωτέρω γηγωνεῖ μετ' ἄλλων ἢ μόνος, cf. 901 b 31 γηγώνασι, 904 b 35 γηγωνῶν (*Index Ar.*). Antiphon, *de caede Herod.* 44, πολλῶ πλέον γηγωνεῖν ἔστι νύκτωρ ἢ μεθ' ἡμέραν (Cobet, *Metem.* iv 153). γηγωνεῖν is the normal form in Attic prose, but the word is far from common.

τεταγμένοι τὰ ὅπλα [καὶ κατὰ] κλήσαντες εἰς [τὰ] πλησίον οἰκήματα τοῦ Θησείου διεσήμηναν ἐλθόντες πρὸς τὸν Πεισίστρατον· ὁ δέ, [ἐπεὶ τὸν] ἄλλον λόγον ἐπετέλεσεν, εἶπε καὶ περὶ τῶν 5 ὅπλων, τὸ γεγονὸς [ὡς οὐ] χρή θυμαίνει οὐ[δ' αἰ]θυμείν, ἀλλ' 15 ἀπελθόντας ἐπὶ τῶν ἰδίων εἶναι, τῶν δὲ κοινῶν [αὐτὸς ἐπὶ] μελήσεσθαι πάντων.

16. [ἡ μὲν οὖν Πει]σιστράτου τυραννὶς ἐξ ἀρχῆς τε κατέστη [τοῦτον] τὸν τρόπον καὶ [μεταβο]λὰς ἔσχε τοσαύτας. διφκεῖ δ' ὁ 2 Πεισίστρατος, ὥσπερ εἴρηται, [τὰ κατὰ] τὴν πόλιν μετρίως καὶ μᾶλλον πολιτικῶς ἢ τυραννικῶς· ἐν τε γὰρ τοῖς ἄλλοις [φι]λάν- 5 θρωπος ἦν καὶ πρᾶος καὶ τοῖς ἁμαρτάνουσι συγγνωμονικός, καὶ δὴ καὶ τοῖς ἀ[πό]ροις προεδάνειζε χρ[ήμα]τα πρὸς τὰς ἐργασίας, ὥστε διατρέφεσθαι γεωργοῦντας. τοῦτο δ' ἐποίει δυοῖν [χά]ριν, ἵν[α] 3 μήτε ἐν τῷ ἄστει διατρίβωσιν ἀλλὰ διεσπαρμένοι κατὰ τὴν χώραν,

21 αὐτῶν [καὶ συγ]κλήσαντες K (K-W, H-L), sed αὐτῶν quidem in papyro abesse, partem autem notae quae κατὰ significaret apparere, indicavit Blass. 24 [καὶ ὡς οὐ χρή] H-L (K²), [ὡς οὐ] χρή B, [λέγων ὡς οὐ χρή] K¹; [ἐφη δ' οὐ δεῖν] K-W. ἀθυμείν K-W (K², B); [ἀγανακτ]εῖν H-L. 25 εἶναι add. Marchant coll. Aesch. 3 § 8, Dem. 15 § 11, 6 § 4, 26 § 33 et infra 16 § 3 πρὸς τοῖς ἰδίοις ὄντες. Compendium quod verbum εἶναι exprimit in papyro inesse divinavit Wyse, invenit K. αὐτὸς ἐπιμελήσεσθαι Blass, K-W, K²: αὐτὸς νῦν ἐπ. H-L.

XVI 8 εἴρηται [τὰ κατὰ] B: εἴρηται [ἤδη] (K², K-W): εἰρήκαμεν (K¹, H-L). 4 τοῖς ἄλλοις (K², K-W): τοῖς θεσμοῖς K¹, ταῖς ὁμίλαις H-L. 5 ΠΡΑΟΣ (K, B), cf. Voemel, *Prolegomena Grammatica ad Dem. Contiones*, § 29: πρᾶος K-W, H-L.

6 προεδάνειζε Rutherford et quondam Wyse. 7 ΔΙΑ... ΦΕΣΓΕΩΡΓΟΥΝΤΑΣ litteris incertis scripta (K-W, K², B): διαμπερὲς ἐγεωροῦντο quondam K, διανεκὲς ἐγεωροῦντο H-L. 8 διεσπαρμένοι <ᾧσι> Kontos (H-L).

τεταγμένοι] *Pol.* 1298 a 23, τὰς ἀρχὰς τὰς ἐφ' ἐκάστοις τεταγμένας. τετάχθαι may have ἐπὶ with the dat. or acc., the former is found in Xen., and both in Plato. *Plat. Rep.* 345 D, ἐφ' ᾧ τέτακται, *Crit.* 50 D, οἱ ἐπὶ τοῖς τεταγμένοι νόμοι, *Leg.* 952 E, τοὺς ἐπὶ τοῖς ἀρχοντας τεταγμένους, *ib.* 772 B, ἐπὶ πάντα καὶ ἕκαστα ταχθεὶς (χρόνος), *Tim.* 47 C, λόγος ἐπ' αὐτὰ ταῦτα τέτακται. The gen. is comparatively rare.

§ 5. ἀθυμείν *Met.* iii 5, 1009 b 37, πῶς οὐκ ἄξιον ἀθυμῆσαι. δυσθυμείν (*Hdt.* viii 10) is not found in Ar.

ἐπὶ τῶν ἰδίων εἶναι c. 16 § 3. *Pol.* viii (v) 8, 1309 a 6, οἱ γὰρ ἀποροὶ οὐ βουλήσονται ἀρχεῖν τῷ μηδὲν κερδαίνειν, ἀλλὰ πρὸς τοῖς ἰδίοις εἶναι μᾶλλον, οἱ δὲ εὐποροὶ δυνήσονται διὰ τὸ μηδὲν προσδεῖσθαι τῶν κοινῶν.

XVI § 2. εἴρηται] 14 § 3.

καὶ δὴ καὶ] § 10.

τοῖς ἀπόροις—γεωργοῦντας] In the

same spirit, we read in *Plut. Sol.* 31, ὡς δὲ Θεόφραστος ἱστέον, καὶ τὸν τῆς ἀργίας νόμον οὐ Σόλων ἐθήκεν, ἀλλὰ Πεισίστρατος, ᾧ τὴν τε χώραν ἐνεργεστέραν καὶ τὴν πόλιν ἡρεμαιοτέραν ἐποίησεν. For διατρέφεσθαι Mr Wyse compares Xen. *de Rea.* i 1; iv 49; Schol. Aristoph. *Vesp.* 1446, ἐργαζόμενοι διατρέφοντο. For the general sense, cf. *Pol.* 1320 b 7, (even under a democracy) χαρμέντων ἐστὶ καὶ τοῦν ἐχόντων γεωρμῶν καὶ διαλαμβάνοντας τοὺς ἀπορούς ἀφορμὰς διδόντας τρέπειν ἐπ' ἐργασίας.

προεδάνειζε] In this verb πρὸ does not mean 'beforehand,' but 'in advance.' προδανείζειν, originally 'to make an advance,' develops the meaning 'to lend without interest.' The conjecture προεδάνειζε, 'he also lent money,' is withdrawn. It rested on the assumption that προεδάνειζε meant 'he lent beforehand,' a sense unsuitable to the context (Wyse in *Class. Rev.* vi 254.

§ 3. μήτε...ἀλλὰ] *Pol.* viii (v) 8, 1308

καὶ ὅπως [εὖπο]ροῦντες τῶν μετρίων καὶ πρὸς τοῖς [ἰ]δίους ὄντες
 μὴτ' ἐπιθυμῶσι μήτε σχολάζ[ωσιν] ἐπιμελείσθαι τῶν κοινῶν. 10
 4 ἅμα δὲ συνέβαινε αὐτῷ καὶ τὰς προσόδους γίνεσθαι μείζους
 ἐξεργαζομένης τῆς χώρας· ἐπράττετο γὰρ ἀπὸ τῶν γυγνομένων
 5 δεκάτην. διὸ καὶ τοὺς κατὰ [δήμ]ους κατεσκεύαζε δικαστὰς καὶ
 αὐτὸς ἐξῆι πολλὰκις εἰς τὴν χώραν ἐπισκοπῶν [καὶ] διαλ[ύ]ων
 τοὺς διαφορομένους, ὅπως μὴ καταβαίνοντες εἰς τὸ ἄστυ παρα- 15
 6 μελῶσι τῶν [ἀγρ]ῶν. τοιαύτης γὰρ τιнос ἐξόδου τῷ Πεισιστράτῳ

11 ΓΙΝ (K-W) sed in versu proximo ΓΙΓΝ (K-W etc.).

12 ἐξ ἐργαζομένης H-L.

13 ΚΑΤΕΣΚΕΥΑΖΕ (K, H-L): κατεσκεύασε K-W, B.

14 διαλύων (K², K-W, B): διαλάττων K¹ (H-L); lacuna vix quattuor litterarum capax.

ὁ 11, μὴτ' αὐξάνειν λίαν μηδὲν παρὰ τὴν
 συμμετρίαν, ἀλλὰ μάλλον περᾶσθαι. *Rhet.*
 i 4, 1359 b 6. For the general sense,
Pol. viii (v) 10, 1311 a 14, τὸ ἐξ ὁστος
 ἀπελαίνειν καὶ διοικίζειν ἀμφοτέρων κοινῶν,
 καὶ τῆς ὀλιγαρχίας καὶ τῆς τυραννίδος.

Διοσπαρμίῳ κατὰ τὴν χώραν] *Pol.*
 vii (vi) 4, 1319 a 30, διὰ τὸ περὶ τὴν
 ἀγορὰν καὶ τὸ ἄστυ κυλεῖσθαι πᾶν τὸ
 τοιοῦτον γένος ὡς εἰπεῖν ῥαδίως ἐκκλη-
 σιάζει. οἱ δὲ γεωργοῦντες διὰ τὸ διε-
 σπάρθαι κατὰ τὴν χώραν οὐτ' ἀπαντῶσιν
 οὐδ' ὁμοίως δέονται τῆς συνόδου ταύτης.
 vi (viii) 5, 1292 b 25, ὅταν μὲν οὖν τὸ
 γεωργικὸν καὶ τὸ κερκτικὸν μετρίαν
 οὐσίαν κύριον ᾖ τῆς πολιτείας, πολιτεύονται
 κατὰ νόμους· ἔχουσι γὰρ ἐργαζόμενοι ζῆν,
 οὐ δύνανται δὲ σχολάζειν, ὥστε τὸν
 νόμον ἐπιστήσαντες ἐκκλησιάζουσι τὰς ἀναγ-
 καλίας ἐκκλησίας. vii (vi) 4, 1318 b 9,
 βέλτιστος γὰρ δῆμος ὁ γεωργικὸς ἐστίν... διὰ
 μὲν γὰρ τὸ μὴ πολλὴν οὐσίαν ἔχειν
 ἄσχαλος, ὥστε μὴ πολλὰκις ἐκκλησιάζειν.
Diogenes Laert. i 98 says of Periander,
 on the authority of Ephorus and Aristotle,
 οὐκ ἔα ἐν ὁστει ζῆν τοὺς βουλομένους.
 Similarly, in the abstract of Aristotle, by
 Heracleides, οὐκ ἐπιτρέπων ἐν ὁστει ζῆν
 (Rose, *Frag.* 3 611, 20).

Cf. Aelian *V. H.* ix 25; Max. Tyr.
 xxix 3; and *Dion Chrys. Or.* 7 i p. 257 f.
 R., i 520—I R. (Mayor).

τῶν μετρίων] 27 § 3.

πρὸς τοῖς ἰδίοις ὄντες] See note on
 15 § 5, ἐπὶ τῶν ἰδίων εἶναι.

μήτε σχολάζ[ωσιν] Similarly in *Pol.*
 viii (v) 11, 1313 b 23, the object of the
 Peisistratidae, in beginning the building
 of the Olympieum, was δσχαλίαν (καὶ
 πενίαν) τῶν ἀρχομένων. Cf. *id.* 19 ff.

§ 4. δεκάτην] Hitherto, the main evi-
 dence for this has been the spurious letter
 of Peisistratus to Solon, *Diog. Laert.* i 53.
 The present passage supports the view of

Boeckh (iii 6), Arnold (on *Thuc.* vi 54
 § 5) and Thirlwall (c. xi, p. 72—74),
 that Peisistratus levied a tax of ten per
 cent. Grote demurred to accepting this,
 on the ground of insufficient evidence.
 (It is mentioned in Zenobius iv 76, Man-
 tissa *Proverb.* i 76, and *Proverbiorum*
 Appendix, ii 66.) *Thuc.* i c., after
 mentioning Hipparchus, says ἐπετῆρθεσαν
 ἐπὶ πλείστον δὴ τύραννοι οὗτοι ἀρετῇ καὶ
 ξύσει, καὶ Ἀθηναίους εἰκοστὴν μόνον
 πρᾶσσόμενοι κτλ., and the scholars above-
 mentioned accordingly assumed that the
 tax was reduced by the Peisistratidae.
 The text implies that this assumption
 was correct.

§ 5. τοὺς κατὰ δήμους—δικαστὰς] The
 origin of these 'district-judges,' who
 went on circuit through the demes of
 Attica, is here for the first time ascribed
 to Peisistratus. Their number is stated
 as 30 under Pericles (c. 26 § 4). After
 the time of the Thirty Tyrants the number
 was changed to 40, four from each tribe
 (c. 53 § 1).

§ 6. τοιαύτης γὰρ τιнос ἐξόδου κτλ.]
 Zenobius, *Proverb.* cent. iv 76, καὶ σφα-
 κελοὶ ποιοῦσιν ἀτέλειαν (= *Suidas* s.v.
 καὶ σφακελοὶ p. 189, εἰ σφακελισμός):
 Πεισιστράτος, ὡς φασίν, ὁ τύραννος δεκά-
 την τῶν γεωργομένων ἀπῆγει τοὺς Ἀθη-
 ναίους· παρὶν δὲ ποτε, καὶ ἰδὼν πρεσβύτην
 πέτρας ἐργαζόμενον καὶ τόπους λιθώδεις,
 ἤρετο τὸν πρεσβύτην, τίνας ἐκ τῶν τόπων
 κομίζοιτο τοὺς καρπούς. ὁ δὲ ἀπεκρίνατο,
 Ὅδυνας καὶ σφακέλους, καὶ τούτων δεκάτην
 Πεισιστράτος φέρει. θαυμάσας δὲ ὁ Πεισί-
 στρατος τὴν παρηγορίαν αὐτοῦ τῆς δεκάτης
 ἀτέλειαν ἔδωκε καὶ ἐκ τούτων οἱ Ἀθηναῖοι
 τῇ παροιμίᾳ ἐχρήσαντο, Mantissa *Pro-*
verb. cent. i 76 (= *Apostolius* x 80 ed.
 Pontini). *Diodorus Sic.* ix 57 Bekker,
 ... ὁ ἐργάτης ἐφῆσε λαμβάνειν ἐκ τοῦ χωρίου
 κακὰς ὁδύνας, ἀλλ' οὐθέν αὐτῷ μέλει· τοῦ-

γυγνομένης συμβῆναι φασι τὰ περὶ τὸν ἐν τῷ [Τμητ]τῷ γεωρ-
γούντα τὸ κληθὲν ὕστερον χωρίον ἀτελές. ἰδὼν γάρ τινα πα[ττά]λφ
πέτρας σκάπτοντα καὶ ἐργαζόμενον, [[διὰ τὸ θαυμάσαι]] τὸν πα[ῖδα]
10 ἐκέλευεν [ἐρ]έσθαι τί γίγνεται ἐκ τοῦ χωρίου· ὁ δ', ὅσα κακὰ καὶ
ὀδύνας, ἔφη, καὶ τούτων τῶν κακῶν καὶ τῶν [ὀ]δυνῶν Πεισιστρατον
δεῖ λαβεῖν τὴν δε[κά]την. ὁ μὲν οὖν ἄνθρωπος [ἀ]πε[κρ]ι[να]το
ἀγνοῶν, ὁ δὲ Πεισιστρατος ἡσθεὶς διὰ τὴν παρρησίαν καὶ τὴν
φιλεργίαν [ἀ]τελῇ ἀπάντων ἐποίησεν αὐτόν. οὐδὲν δὲ τὸ πλήθος 7
25 οὐδ' ἐν τοῖς ἄλλοις παρώχλει κατὰ τὴν ἀρχήν, ἀλλ' αἰετ[α]ρε-
σκ[ε]ν[ε]ν αἰετ[α]ρῆν καὶ ἐ[τ]ήρει τὴν ἡσυχίαν· διὸ καὶ πολλάκις
ἐθ[ρ]υ[λλ]λ[ε]το, ὡς [ῆ] Πεισιστράτου τυραννὶς ὁ ἐπὶ Κρόν[ου] βίος
εἴη· συνέβη γὰρ ὕστερον δια[δε]ξαμένων τῶν υἱέων πολλῶ
γενέσθαι τραχυτέραν τὴν ἀρχήν. μέγιστον δὲ πάντων ἦν [τῶν] 8
30 ἐπαινου[μ]ένων τὸ δημολικὸν εἶναι τῷ ἦθει καὶ φιλάνθρωπον. ἔν
τε γὰρ τοῖς ἄλλο[ις] προηρεῖτο πάντα διοικεῖν κατὰ τοὺς νόμους,
οὐδεμίαν ἑαυτῷ πλεονεξίαν διδ[ού]ς, καὶ ποτ[ε] προσκληθεὶς φόνου
δίκην εἰς Ἀρείον ἀν[α]γ[ο]ν αὐτὸς μὲν ἀπήντησεν ὡς [ἀπο]λο[γ]ησά-

17 τὰ: τὸ H-L. γμμητωί? 18 παττάλφ K; π...λ[ω]ς K-W, παντελῶς
Wessely, B; sed exspectares potius ἐπιμελῶς vel ἐπιπόνως: προσβύτην invita papyro
H-L. 19 πέτρας: ΠΕΤΡΑΙΣ?, [ἐν] πέτραις K-W et Wessely. διὰ τὸ θαυμάσαι
secl. K-W, 'θαυμάσας scriptum malis' H-L. παῖδα K-W, H-L, K², B: πάτταλον K¹,
sed spatium non sufficit. 20 [περ]ιγίγνεται K-W invita papyro. 21 τῶν κακῶν
καὶ τῶν ὀδυνῶν om. H-L; τῶν ante ὀδυνῶν secl. K-W. 22 <αὐτὸν> ἀγνοῶν H-L.
23 παρώχλει (K): παρηνώχλει J B Mayor (K-W, H-L, B). 24 ἐτήρει τὴν ἡσυχίαν
(K², K-W, H-L, B); ἐπηρεάς ἡσυχίαν coniecerat Blass. 27 [παρ]ωμάζ[ε]το K;
[τοῦτ'] ἐλέγ[ε]το K-W, [ὁ]στερον ἐλέγ[ε]το H-L; ἐθρύλησαν Wessely (litteras priores saltem
cum papyri indicibus obscuris congruere existimat K); ἐθ[ρ]υ[λλ]λ[ε]το B. 28 δια[δε]ξα-
μένων E Bruhn (B): διὰ τὴν ὄβριον Sidgwick, Gennadios, K-W, H-L, K². 30 ἐπαι-
νουμένων J B Mayor, Newman, Bury, K-W, H-L (K², B). 31 εἰδῶθαι K (H-L);
προηρεῖτο K-W, B.

των γὰρ τὸ μέρος Πεισιστράτῳ δίδοναι. ὁ
δὲ δυναστὴς...γελάσας ἐποίησε τὸ χωρίον
ἀτελές, καὶ ἐντεῦθεν ἡ παροιμία 'καὶ σφά-
κελοι ποιοῦσιν ἀτέλειαν.' Procopius in
Vilhoison, *Anecd.* ii 40.

The story has been traced to Demon,
the writer of a work on proverbs, who
is probably the same as the writer of an
'Ατθίς, earlier than Philochorus (Zenob.
Athous ii 4 quoted by O. Crusius *Anal.*
ad Paroem. p. 132 f). But, if this Demon
is the same as the nephew of Demosthenes
bearing that name, he is later than the
date of this treatise.

§ 7. παρώχλει] παροχλέω is found in
Theophr. C. P. iii 10, 5. παροχλέω is
less uncommon.

§ 8. ἐπὶ Κρόνου βίος] 'the golden age.'
[Plat.] *Hippiarch.* 229 B (after the death
of Hippiarchus) τρία ἔτη ἐτυραννεύθησαν

'Ἀθηναῖοι ὑπὸ τοῦ ἀδελφοῦ αὐτοῦ Ἰππίου,
καὶ πάντων αὐτῶν παλαιῶν ἡκούσας, ὅτι
ταῦτα μόνον τὰ ἐπὶ τυραννὶς ἐγένετο ἐν
'Ἀθήναις, τὸν δ' ἄλλον χρόνον ἐγγύς τι ἔξω
'Ἀθηναίων ὥσπερ ἐπὶ Κρόνου βασιλεύ-
οντος. The same proverbial phrase is ap-
plied by Plutarch, *Arist.* 24, to the happy
condition of the Athenian allies under
the administration of Aristides, and in
Cimon 10 to the liberality of Cimon (*inf.*
c. 27 § 3).

συνέβη-ἀρχήν] c. 15 § 1.
§ 8. δημολικόν] c. 14 *inf.*
καὶ ποτε προσκληθεὶς-ὤλιπεν] *Pol.*
viii (v) 12, 1315 ὁ 21, φασι δὲ καὶ Πεισι-
στρατον ὑπομεῖναι ποτε προσκληθέντα δίκην
εἰς Ἀρείον πάγον. Plut. *Sol.* 31, ὅς γε καὶ
φόνον προσκληθεὶς εἰς Ἀρείον πάγον ἦδη
τυραννῶν ἀπήντησε κοσμίως ἀπολογησά-
μενος, ὁ δὲ κατήγορος οὐχ ὑπέκουσε.

9 μενος, ὁ δὲ προσκαλεσάμενος φοβηθεὶς ἔλιπεν. διὸ καὶ πολλὸν χρόνον ἔμεινεν <έν> [τῇ ἀρχῇ, καί] δὲ ἐκπέσοι πάλιν ἀνελάμβανε 35 ῥαδίως. ἐβούλοντο γὰρ καὶ τῶν γνωρίμων καὶ τῶν [δημο]τικῶν οἱ πολλοί· τοὺς μὲν γὰρ ταῖς ὁμιλίαις τοὺς δὲ ταῖς εἰς τὰ ἴδια βοηθείαις προ[σ]ήγγετο, καὶ πρὸς ἀμφοτέρους ἐπεφύκει καλῶς. 10 ἦσαν δὲ καὶ τοῖς Ἀθηναίοις οἱ περὶ τῶν [τυ]ράνων νόμοι πρᾶοι κατ' ἐκείνους τοὺς καιροὺς οἳ τ' ἄλλοι καὶ δὴ καὶ ὁ μάλιστα 40 καθ[ή]κων πρὸς τὴν <κατάστασιν> τῆς τυραννίδος. νόμος γὰρ αὐτοῖς ἦν ὅδε· θέσμια τάδε Ἀθηναί[οις] καὶ πάτρια· ἐάν [τιν]ες τυραννεῖν ἐπανιστῶ[ν]ται [[ἐπὶ τυραννίδι]], ἡ τὴν τυραννίδα τις συγκαθιστῇ, ἄτιμο[ν εἶναι καί] αὐτὸν καὶ γένος.

17. Πεισίστρατος μὲν οὖν ἐγκατεγύρασε τῇ ἀρχῇ καὶ ἀπ- [έθ]ανε νοσήσα[ς ἐπὶ] Φιλόνεω ἄρχοντας, ἀφ' οὗ μὲν κατέστη τὸ

34 ἐξέλιπεν Richards coll. Dinarch. 3, 98 et Plat. *Leg.* 943 A (H-L). 35 ἐν ἀρχῇ H-L (K³): ἐν τῇ ἀρχῇ quondam Blass, K-W; cf. 17, 3—4. In papyro χ cerni posse putat K et post ἔμεινεν partem inferiorem litterae φ, deinde quinque sexve litterarum spatium. ΕΠΕΛΑΜΒΑΝΕ (K¹); ἀνελάμβανε Wyse, Gennadios, Ferrini, H-L, K³; ἀνελάμβανε K-W (B). 38 ἀμφοτέρας H-L. 39 ΠΡΑΟΙ (K), cf. v. 5. 41 καθήκων K (B); ἀνήκων H-L; κα[θεστώς] K-W. ΤΗΝΤΗC: τὰ τῆς H-L. κατάστασιν addidit post τυραννίδος K, post τὴν B; lacunam indicant K-W. 42 Ἀθηναίοις Kontos (B); Ἀθηναίων K etc. ἐστὶ K (H-L): κατὰ τὰ K-W; κ(αί) Blass. 43 ἡπειτυραννιδιτικὴν καθεστῆσιν τυραννίδα: ἡ τὴν τυραννίδα τις συγκαθιστῇ, Blass. ἐπὶ τυραννίδι secluserat K (K-W), utpote quondam supra verbum τυραννεῖν per formulam usitatorem interpretandi causa scriptum. ἡ ἐπὶ τυραννίδι τις συγκαθιστῇ συνωμοσίαν, ἄτιμον H-L. ἐπι<τιθῆται> τυραννίδι Richards coll. *Pol.* 1108 a 22, Lycurg. *Leocr.* 125. ἐάν τις ἐπὶ τυραννίδι ἐπανιστῇται ἡ συγκαθιστῇ τὴν τυραννίδα Hager. <ἡ> τι <ι> K³: cum in papyro ἡ et τι prorsus similia sint, fortasse nihil nisi ἡ legendum suspicatur K; ἡ K-W, B. 44 εἶναι καὶ H-L ('fortasse recte' K), B: εἶναι K.

XVII 1 ΕΝΚΑΤΕΓΗΡΑΣΕ (probat Rutherford).

§ 9. διὸ—ἐπεφύκει καλῶς Cf. the sketch of the best means for maintaining a tyrannis in *Pol.* 1314 a 30—1315 b 10.

δὲ ἐκπέσοι...ἀνελάμβανε Optative of indefinite frequency, followed by the imperf., as in *Pol.* viii (v) 5, 1305 a 7, ἐπὶ δὲ τῶν ἀρχαίων, ὅτε γένοιτο ὁ αὐτὸς δημαγωγὸς καὶ στρατηγός, εἰς τυραννίδα μετέβαλλον. For ἀνελάμβανε cf. Hdt. iii 73, (τὴν ἀρχὴν) ἀναλαμβάνει.

§ 10. καὶ δὴ καί as often with οἱ τε ἄλλοι preceding; *supra* § 2.

ἐάν τις—καὶ γένος Andocides, *De Mystericis*, § 97, ἐάν τις τυραννεῖν ἐπαναστῇ ἡ τὸν τύραννον συγκαταστήσῃ. In later times such an offence would be met by a καταλόσεως τοῦ δήμου γραφή, and the penalty would be death and confiscation of property. The decree against the orator Antiphon and Archeptolemus (one of the Four Hundred) required them to be put

to death and their property to be confiscated. It also declared each of them to be ἄτιμον...καὶ τὸ γένος τὸ ἐκ τούτων (Pseudo-Plut. *vit. Antiphr.* § 28).

Cf. Arist. *Thesm.* 338, εἰ τις...τυραννεῖν ἐπινοεῖ ἡ τὸν τύραννον ξυγκαταστήν, *Vesp.* 495, 498, 502, *Lys.* 630. The text shews that in Andoc. *l.c.* Dobree's suggestion, <ἐπὶ τῷ> τυραννεῖν, is unnecessary.

XVII § 1. ἐγκατεγύρασε used metaphorically in Dinarchus, *Aristog.* § 3, πονηρίαν ἀρχομένην, contrasted with ἐγκαταγεγυρακυῖαν, 'inveterate.' Plut. *Phocion* 30, πέναν ἐν ᾧ...ἐγκατεγύρασε. ἐγγυράκειν is similarly used c. dat.

Cf. Thuc. vi 54, 2, Π. γηραιὸν τελευτήσαντος; Val. Max. viii 9 § 2, 'decrepitum.' Φιλόνεω ἄρχοντας B. C. 527. The name of the archon of the year is now ascertained for the first time. The date of the death of Peisistratus was known

πρώτον τύραννος, ἔτη τριά[κο]ν[τ]α καὶ τρία βιώσας, ἃ δ' ἐν τῇ ἀρχῇ διέμεινεν, ἐνὸς δέοντα εἰκοσι· ἔφ[ευγ]εν γὰρ τὰ λουπά. διὸ 2
5 καὶ φανερώς ληροῦσιν <οἱ> φάσκοντες || ἐρώμενον εἶναι Πεισι- [Col
στρατον Σόλωνος καὶ στρατηγεῖν ἐν τῷ πρὸς Μεγαρέας πολέμῳ
περὶ Σαλαμίνος· οὐ γὰρ ἐνδέχεται ταῖς ἡλικίαις, εἴαν τις ἀναλογί-
ζεται τὸν ἐκατέρου βίον καὶ ἐφ' οὗ ἀπέθανεν ἄρχοντας. τελευτή 3
10 τὰ πρῶγματα τὸν αὐτὸν τρόπον. ἦσαν δὲ δύο μὲν ἐκ τῆς γαμετῆς,
'Ιππίας καὶ 'Ιππαρχος, δύο δ' ἐκ τῆς 'Αργείας, 'Ιοφῶν καὶ 'Ηγησί-
στρατος, φ' παρωνύμιον ἦν Θετταλός. ἔγμηνεν γὰρ Πεισίστρατος ἐξ 4

4 ἐφηνεν J B Mayor, Rutherford, K-W, H-L, K³: ἐφ. ΓΕΝ: ἐφηνεν K¹, B.
5 ΛΗΡΟΥΣΙ: ληροῦσιν οἱ K-W, H-L, Lacon, Hude (K³, B). 7 ΣΑΛΑΜΕΙΝΟΣ.
9 ΠΡΟΔΑΓΟΝΤΕΣ: corr. Rutherford, J B Mayor, Blass, K-W, H-L (K³). 10 <'Ατ-
τικῆς> γαμετῆς H-L.

TESTIMONIA. 3 Heraclidis epitoma (Rose, Ar. Frag. 611, 4³) Πεισίστρατος
λγ ἔτη τυραννεύσας γηράσας ἀπέθανεν.

already. He died in the beginning of
B.C. 527, the latter half of Ol. 63, 1.
The date is fixed by Ar. *Pol.*, quoted
below, and by Thuc. vi 59 § 5. The
former makes the rule of the Peisi-
stratidae last 18 years; the latter says
that the battle of Marathon was in the
20th year after the expulsion of Hippias.
490 + 18 + 19 = 527 (Clinton, *Fasti*, ii
254).

ἔτη τριάκοντα καὶ τρία] *Pol.* viii (v)
12, 1315 ὁ 30, ἡ τῶν Πεισιστρατιδῶν
(ἀρχῇ) 'Αθήνησιν. οὐκ ἐγένετο δὲ συνεχῆς·
ὅτις γὰρ ἐφυγε Πεισίστρατος τυραννῶν· ὥστ'
ἐν ἔτεσι τριάκοντα καὶ τρισὶν ἑπτα-
καίδεκα ἔτη τούτων ἐτυράννευσεν, ὀκτωκαί-
δεκα δὲ οἱ παῖδες, ὥστε τὰ πάντα ἐγένετο
ἔτη τριάκοντα καὶ πέντε. The passage is
part of a paragraph regarded as an inter-
polation by Susemihl, ed. 2 and 3.

ἐνὸς δέοντα εἰκοσι] In *Pol.* quoted
above, the rule of Peisistratus is said to
have lasted 17 years. It has been pro-
posed to reconcile the two accounts by
supposing that fractions of a year are in-
cluded here, and excluded in the *Politics*.
See, however, note on 14 § 3.

§ 2. ἐρώμενον] Ael. *V. H.* viii 16,
λέγεται γὰρ αὐτοῦ παιδικὰ γενέσθαι.

Μεγαρέας] c. 14 § 1.
ἀπέθανεν] Solon died not long after
560 B.C. (Plut. *Sol.* 12); Peisistratus, in
527.

§ 3. τὸν αὐτὸν τρόπον] Thuc. vi 54
§§ 4 f. 6.

ἐκ τῆς γαμετῆς] The name is not known.

ἐκ τῆς 'Αργείας] Hdt. v 94, Πεισι-
στρατος...κρατήσας αὐτοῦ (sc. Σαγείου) κα-
τέστησε τύραννον εἶναι παῖδα τὸν αὐτοῦ
νόθον 'Ηγησίστρατον, γεγονότα ἐξ 'Αργείας
γυναίκος. "Herodotus calls Hegesistratus
νόθον, because after the middle of the
fifth century (c. 26 *ad fin.*) women of
foreign blood certainly could not occupy
at Athens the position of a lawful wife:
the children of a ξένη were both νόθοι and
ξένοι. The same distinction is present to
the writer: he contrasts 'the wedded wife'
of Athenian birth with the 'Argive wo-
man.' The reading need not be altered.
Thucydides (vi 55 § 1) seems to include
Thessalus among the legitimate sons of
Peisistratus, τῶν γνησίων ἀδελφῶν" (Wyse,
Class. Rev. v 226 d). In i 20 § 2, after
stating that Hippias was the eldest son,
he adds that Hipparchus and Thessalus
were his brothers. The name of Thes-
salus was probably given him out of com-
pliment to the Thessalian allies of the
house of Peisistratus. The Thessalians
ineffectually sent 1000 horse to defend
Hippias shortly before his expulsion
(Hdt. v 63). Plutarch, *Cato major* 24,
calls Thessalus the son of Peisistratus
and Timonassa, but we now know for the
first time that this was another name for
Hegesistratus. As regards the nationality
of his mother it will be remembered that
Peisistratus was aided, during his second
exile, by mercenary troops from Argos
(Hdt. i 61).

παρωνύμιον] = ἐπωνύμια (c. 45 § 1).

Ἄργους ἀνδρὸς Ἀργείου θυγατέρα, ᾧ ὄνομα ἦν Γοργίλος, Τιμόνασσαν, ἣν πρότερον ἔσχεν γυναῖκα Ἀρχίνος ὁ Ἀμπρακιώτης τῶν Κυψελιδῶν· ὅθεν καὶ ἡ πρὸς τοὺς Ἀργεῖους ἐνέστη φιλία, καὶ συνεμα-
 χέσαντο χίλιοι τὴν ἐπὶ Παλληνίδι μάχην Ἡγησιστράτου κομίσαντος. γῆμαι δὲ φασὶ τὴν Ἀργεῖαν οἱ μὲν ἐκπεσόντα τὸ πρῶτον, οἱ δὲ κατέχοντα τὴν ἀρχήν.

18. ἦσαν δὲ κύριοι μὲν τῶν πραγμάτων διὰ τὰ ἀξιώματα καὶ διὰ τὰς ἡλικίας Ἱππαρχος καὶ Ἱππίας, πρεσβύτερος δ' ὢν ὁ

14 ἔσχε H-L. 15 ΕΝΕΣΤΗ: συνέστη H-L.
 detexit J B Mayor (K-W, H-L, K³, B): Πεισιστράτου K¹.

16 Ἡγησιστράτου primus

XVIII 1 ΤΩΝ ΜΕΝ: μὲν τῶν Blass, Richards, edd.

Plat. *Soph.* 128 c. The adj. παρώνυμος is found in Plat. *Leg.* 757 D, and the corresponding verb in Ar. *Phys.* vii 3, 245 b 11, 28, παρωνυμάζοντες λέγομεν, and *Elh. Eud.* iii 1, 1228 a 35, παρωνυμάζεσθαι = παρωνύμως παρά τι λέγεσθαι. The ordinary form of the adj. in Ar. is παρώνυμος.

§ 4. Ἀρχίνος ὁ Ἀμπρακιώτης τῶν Κυψελιδῶν Cypselus (tyrant of Corinth for 30 years from B.C. 658 or 655) was succeeded by his son Periander. Among the contemporaries of the latter was another Periander, son of Gorgus, who was either a son or a brother of Cypselus. This second Periander was a tyrant of Ambracia. The establishment of a branch of the Cypselidae in Ambracia was in accordance with the ambitious policy of that dynasty. They attempted to occupy the coast of the Ionian sea as far as Illyria (Müller, *Dor.* i 8 § 3). Periander was deposed probably after the death of the Corinthian tyrant of the same name (B.C. 585). *Pol.* viii (v) 10, 1311 a 39, Περιάνδρῳ τῷ ἐν Ἀμβρακίᾳ τυράντῳ, and 4, 1304 a 31, ἐν Ἀμβρακίᾳ... Περιάνδρον συνεκβαλὼν τοῖς ἐπιθεμένοις ὁ δῆμος τὸν τύραννον εἰς ἑαυτὸν περιέστησε τὴν πολιτείαν. Ambracia was colonised in the reign of Cypselus (Strabo, p. 452) either by that tyrant's brother, Torgus, or his son Gorgus. Strabo, p. 328, describes Ambracia as Τόλγῳ (sic) τοῦ Κυψέλου κτίσμα (Clinton's *Fasti*, sub anno 612 B.C.). In the *Politics* the affair of Harmodius and Aristogeiton is mentioned just before the fall of the Ambracian tyrant, Periander: here it is narrated shortly after a reference to another member of the Ambracian branch of the Cypselidae.—On Ambracia see Duncker, *H. G.* ii 353 E.T.

ἐπὶ Παλληνίδι] 15 § 3.

ἐκπεσόντα...κατέχοντα] If Peisistratus married Timonassa on his first usurpation of the government in 560 B.C., Hegesistratus may have been either 21, 23, 24 or 26 years of age at the battle of Pallene according as we place that event in 539 (Bauer), 536 (Reinach), 535 (Kenyon) or 533 (Poland). If he married her on his first expulsion, the son may have been four years younger (17 to 21) in the year of the battle. The latter view seems preferable, as his marriage with the 'Argive woman' is more likely to have taken place, when it was to his interest to secure the aid of Argos, than on his first usurpation, when her presence in the palace would not have ingratiated him with his Athenian subjects or with his wedded wife. The beginning of the second tyranny, four to six years later, is out of the question, partly because Peisistratus was then in alliance with Megacles, while Timonassa was probably no longer alive; and partly because this would make the son 15 at the most on the occasion of the battle.

Within about eight years of this time Hegesistratus was old enough to be placed in charge of Sigeum (Hdt. v 94). He was 'much younger' than Hipparchus (c. 18 § 2). Hipparchus, again, was younger than Hippias, and Hippias was an old man in B.C. 490 (Thuc. vi 59 § 5). If Hippias was more than 70 in 490, he was born before 560. Hippias and Hipparchus were already 'young men' (Hdt. i 61) when their father married the daughter of Megacles, either 8, 9 or 11 years after 560. All these considerations are in favour of placing the marriage at the time of the first exile.

XVIII. Harmodius and Aristogeiton.
 § 1. πρεσβύτερος—ὁ Ἱππίας] Thuc. i

Ἰππίας καὶ τῇ φύσει πολιτικός καὶ ἔμφρων ἐπεστάται τῆς ἀρχῆς. ὁ δὲ Ἰππαρχος παιδιώδης καὶ ἐρωτικός καὶ φιλόμουςος 5 ἦν, καὶ τοὺς περὶ Ἀνακρέοντα καὶ Σιμωνίδην καὶ τοὺς ἄλλους ποιητὰς οὗτος ἦν ὁ μεταπεμπόμενος. Θετταλὸς δὲ νεώτερος πολὺ 2 καὶ τῷ βίῳ θρασὺς καὶ ὑβριστής. ἀφ' οὗ καὶ συνέβη τὴν ἀρχὴν

6—7 Θετταλὸς—ὑβριστής delet Herwerden: defendit Heraclides infra laudatus.

TESTIMONIA. 4—7 Heraclidis epitoma (Rose, Ar. Frag. 611, 4³) Ἰππαρχος ὁ υἱὸς Πεισιστράτου παιδιώδης ἦν καὶ ἐρωτικός καὶ φιλόμουςος, Θεσσαλὸς δὲ νεώτερος καὶ θρασὺς. τοῦτον τυραννοῦντα μὴ δυηθέντες ἀνελύν Ἰππαρχον ἀπέκτειναν τὸν ἀδελφὸν αὐτοῦ.

20, 2, Ἀθηναίων γοῖν τὸ πλῆθος Ἰππαρχον οἰοῦνται ὑφ' Ἀρμόδιου καὶ Ἀριστογείτονος τυραννον οὕτω ἀποθανεῖν, καὶ οὐκ ἴσασιν οὐδ' Ἰππίας μὲν πρεσβύτατος ὧν ἤρχε τῶν Πεισιστράτου υἱῶν, Ἰππαρχος δὲ καὶ Θεσσαλὸς ἀδελφοὶ ἦσαν αὐτοῦ, and vi 34 § 2; 55 §§ 1, 2.

In [Plato], *Hipparchus*, 228 B, Hipparchus is wrongly described as the eldest son.

φιλόμουςος] Hipparchus is said to have set up in the demes of Attica Hermae inscribed with verses. *Hipparch.* 229 A, μῆμα τόδ' Ἰππαρχον· στείχε δίκαια φρονῶν... ἔστι δὲ τῶν ποιημάτων καὶ ἄλλα ἐν ἄλλοις Ἑρμαῖς πολλὰ καὶ καλὰ ἐπιγεγραμμένα. The Homeric recitations introduced by Peisistratus at the Panathenaea were improved in certain respects by Hipparchus (*ib.* 228 B, Aelian, *V. H.* viii 2).

τοὺς περὶ] Formula οἱ περὶ τινα... interdictum ita usurpatur, ut ab ipso personae nomine non multum differat, οἱ περὶ Ἐμπεδοκλέα καὶ Δημόκριτον *de Caelo* ii 7, 305 b 1 (cf. Ἐμπεδοκλῆς καὶ Δημόκριτος 305 a 34). οἱ περὶ Ἰπποκράτην *Meteor.* i 6, 342 b 35 (cf. Ἰπποκράτης 343 a 28). ἡ τῶν περὶ Γέλωνα τυραννὶς καὶ νῦν ἡ τῶν περὶ τὸν Διοπόσιον, ἡ μὲν Γέλωνος *Pol.* v 10, 1312 b 10. Cf. *de Gener. et Corrupt.* 314 a 25, *Pol.* v 6, 1305 b 26', *Index Aristotelicus*. In such cases the proper name has no article (Eucken, *Sprachgebrauch*, *Præf.* p. 66).

Ἀνακρέοντα καὶ Σιμωνίδην] *Hipparch.* 228 C, (Hipparchus) ἐπ' Ἀνακρέοντα τὸν Ἰθίων πενηκόντορον στείλας ἐκόμισε εἰς τὴν πόλιν. Σιμωνίδην δὲ τὸν Κεῖον ἀεὶ περὶ αὐτὸν εἶχε, μεγάλους μισθοὺς καὶ δώρους πείθων.

Simonides (born 556 B.C.) was 20 years of age on the death of Peisistratus in 527. It was probably after the expulsion of the Peisistratidae that he wrote the epitaph on Archedice, daughter of Hippias, quoted in *Thuc.* vi 59. Cf. *Plat. Protag.*

346 B. He also celebrated the death of his patron Hipparchus (ἡ μὲν Ἀθηναίοισι φῶς γένεθ' ἦνικ' Ἀριστογείτων Ἰππαρχον κτεῖνε καὶ Ἀρμόδιος, 134 Bergk). After spending some years at the court of the Aleuadae in Thessaly, he returned to Athens and there commemorated in verse some of the great events of the Persian wars. See also Freeman's *Sicily*, ii 258—264.

There is no evidence of intimate relations between Simonides and Anacreon, unless we ascribe to Simonides the epitaphs on Anacreon in *Anthol. Pal.* vii 24, 25, which are assigned with greater probability to a later poet, Leonidas.

Anacreon lived for many years at the court of Polycrates of Samos (*Hdt.* iii 121, Strabo, xiv 638), who was put to death in 522. The death of his patron and the unpopular rule of his successor would prompt him to accept the invitation of Hipparchus. At Athens he made the acquaintance of various members of noble families, such as Critias, son of Dropides (*Plat. Charmides*, 157 E) and Xanthippus, afterwards the victor of Mycale and the father of Pericles. On the death of Hipparchus, he probably went (like Simonides) to the court of the Aleuadae.

τοὺς ἄλλους ποιητὰς] e.g. the founder of the Athenian school of Dithyrambic poetry, and the teacher of Pindar, Lasus of Hermione, one of the rivals of Simonides (*Aristoph. Vespr.* 1410 Schol.). His detection of the forgeries of Onomacritus led to the banishment of the latter by Hipparchus (*Hdt.* vii 6).

§ 2. Θετταλὸς] *Diodorus Sic.*, x 16, 1, gives him a character for wisdom: ἀειπατο τὴν τυραννίδα.

ἀφ' οὗ] Whether οὗ is neuter or (more probably) masculine, it is clear that the troubles of the Peisistratidae are here ascribed to the θβρις of Thessalus, who is naturally the subject of the next sentence

αὐτοῖς γενέσθαι πάντων τῶν κακῶν. ἐρασθεῖς γὰρ τοῦ Ἀρμόδιου καὶ διαμαρτάνων τῆς πρὸς αὐτὸν φιλίας, οὐ κατεῖχε τὴν ὀργήν, ἀλλ' ἐν τε τοῖς ἄλλοις ἐνεσημαίνετο πικρ[ρ]ῶς, καὶ τὸ τελευταῖον 10 μέλλουσιν αὐτοῦ τὴν ἀδελφὴν κανηφορεῖν Παναθηναίους ἐκ[κ]λυσειν, λαιδωρήσας τι τὸν Ἀρμόδιον ὡς μαλακὸν ὄντα, ὅθεν συνέβη παροξυνθέντα τὸν Ἀρμόδιον καὶ τὸν Ἀριστογείτονα πράττειν τὴν 3 πρᾶξιν μετεχόντων πολλῶν. ἤδη δὲ [παρατη]ροῦντες ἐν ἀκροπόλει

10 πικρῶς K-W (K², B); ἐνεσημαίνετο τὸ πικρὸν K¹, ἐνεσημαίνετο τὸ πικρὸν Richards (H-L). 13 παροξυνθέντας H-L, sed 'spatium deest.' 14 μετεχόντων πολλῶν 'satis clare legitur' Blass; μετὰ πολιτῶν πολλῶν K; μετὰ πολιτῶν οὐ πολλῶν Gennadios; μετὰ συνει<δό> των <ού> πολλῶν J B Mayor (K-W); μετὰ συνωμοστῶν οὐ πολλῶν Thompson; μετ' ὀλίγων ἄλλων Richards; μετ' [ἄλλων οὐ] πολλῶν H-L.

ἐρασθεῖς γὰρ κτλ. This is so completely at variance with the account in Thucydides that Mr Kenyon in his first ed. felt constrained to throw the description of Thessalus into a parenthesis. But the writer does not hesitate to disagree with Thucydides in several of his details, and he may have deliberately disagreed with him in this important point. It does not follow that Thucydides is wrong. The whole of the episode on Harmodius and Aristogeiton is apparently written with extreme care to refute a popular error. It must also be remembered that (according to Hermippus, in Marcellinus, *Vit. Thuc.* p. ix, and Schol. on i 20) the historian was related to the Peisistratidae. Cf. vi 55 § 1, εἰδὼς...καὶ ἀκοῇ ἀκριβέστερον ἄλλων. On the other hand, the writer of this treatise shews in the latter part of c. 17 that he knows more than Thucydides about Thessalus, and Thucydides himself tacitly corrects in book i 20 some of the details in the account in book vi (Weil, *Journal des Savants*, avril 1891).

ἐρασθεῖς τοῦ Ἀρμόδιου] This is reported of Hipparchus by Diod. Sic. x 16 § 2, Plut. *Amator.* 16 § 27, p. 760, Athen. p. 602 A (Mayor).

ἐνεσημαίνετο πικρῶς] On the other hand, Thuc. (vi 54 § 4), with greater partiality towards the Peisistratidae, says of Hipparchus, βίαιον μὲν οὐδὲν ἐβόητο δρᾶν. For ἐσημαίνεσθαι, cf. Isocr. 20 § 22, ἐσημανείσθε...τὴν ὀργήν.

μέλλουσιν—ἐκκλυσεν] Thuc. vi 56 § 1, ἀδελφὴν γὰρ αὐτοῦ κόρη, ἐπαγγέλαντες ἦκεν καιρὸν οἴσουσαν ἐν πομπῇ ταῖς, ἀπήλασαν, λέγοντες οὐδὲ ἐπαγγεῖλαι τὴν ἀρχὴν διὰ τὸ μὴ εἶλαν εἶναι. *Ar. Pol.* viii (v) 10, 1311 b 36, (the rule of the Peisistratidae was attacked) διὰ τὸ προηλακίσαι μὲν τὴν Ἀρμόδιου ἀδελφὴν ἐπηρᾶσαι δ' Ἀρμόδιον (ὁ μὲν γὰρ Ἀρμόδιος

διὰ τὴν ἀδελφὴν, ὁ δὲ Ἀριστογείτων διὰ τὸν Ἀρμόδιον). The text connects this incident with the approaching Panathenaic festival, at which Hipparchus was put to death. The Panathenaea are mentioned in connexion with the sister of Harmodius by Aelian *V. H.* xi 8, and Max. Tyr. 24, 2. The year was B.C. 514.

Ὁν κανηφορεῖν, cf. Aristoph. *Eccl.* 732, *Av.* 1551, and Harpocr. s. v. κανηφόροι...Φιλόχορος ἐν β' Ἀθλῶος φησὶν ὡς Ἐριχθονίου βασιλεύοντος πρῶτον κατέστησαν αἱ ἐν ἀξιώματι παρθένοι φέρειν τὰ κανὰ τῇ θεῷ, ἐφ' οἷς ἐπέκειτο τὰ πρὸς τὴν θυσίαν, τοῖς τε Παναθηναίοις καὶ ταῖς ἄλλαις πομπαῖς (for other authorities, see Michaelis, *Parthenon*, p. 329 f.). The Panathenaea had been revived by Peisistratus, but even in 566 B.C., six years before his first usurpation, it was attended by a large concourse in consequence of the institution of gymnastic contests at that date (Marcellinus, *Vit. Thuc.* i). The Scholiast on Aristides, iii 323 Dind., says of the great Panathenaea, Πεισίστρατος ἐποίησε.

μαλακὸν] 'effeminate,' opp. to καρτερικός in *Eih.* 1147 b 23, 1150 a 14, 33; *Eih. Eud.* 1229 b 7, πρὸς τὸν θάνατον μαλακὸς ἢ περίφοβος. Cf. c. 3 l. 7.

μετεχόντων πολλῶν] This contradicts Thuc. vi 56 § 3, ἦσαν δὲ οὐ πολλοὶ οἱ ἐνωμοιωκοῖτες ἀσφαλείας ἔνεκα.

§ 3. ἐν ἀκροπόλει] Thucydides (vi 57 § 1) describes Hippias as marshalling the procession outside Athens in the (outer) Cerameicus, and adds that, on noticing one of the conspirators conversing with him, Harmodius and Aristogeiton, fearing that the plot was discovered, rushed *within the gates* (εἰσω τῶν πυλῶν), found Hipparchus near the Leocorium and stabbed him to death. Hippias, meanwhile, had remained outside the

- 15 τοῖς Παναθηναίοις Ἰππίαν (ἐτύγχανεν γὰρ οὗτος μὲν [δ]εχόμενος, ὁ δ' Ἰππαρχος ἀποστέλλων τὴν πομπήν), ἰδόντες τινὰ τῶν κοινω-
 ούντων τῆς πρά[ξ]εως φιλανθρώπως ἐντυγχάνοντα τῷ Ἰππία, καὶ
 νομίσαντες μηνύειν, βουλόμενοί τι δρᾶσαι πρὸ τῆς συλλήψεως,
 καταβάντες καὶ προεξαναστάντες τῶν [λοιπῶν], τὸν μὲν Ἰππαρχον
 20 διακ[οσ]μοῦντα τὴν πομπήν παρὰ τὸ Λεωκόρειον ἀπέκτειναν,
 [τὴν δ' ὅ]λην ἐλυμήναντο πρᾶξιν. αὐτῶν δ' ὁ μὲν Ἀρμόδιος εὐθέως 4
 ἐτελεύτησεν ὑπὸ τῶν δ[ορυφό]ρων, ὁ δ' Ἀριστο[γε]ίτων ὕστερον
 συλληφθεὶς καὶ πολὺν χρόνον αἰκισθεὶς. κατηγορήσεν δ' ἐν
 [τ]αῖς ἀνάγκαις πολλῶν οἱ καὶ [τῇ] φύσει τῶν ἐπιφανῶν καὶ φίλοι
 25 τοῖς τυράννοις ἦσαν. οὐ [γὰρ ἐ]δύναντο παραχρήμα λαβεῖν οὐδὲν
 ἥχνος τῆς πράξεως, ἀλλ' ὁ λεγόμενος λόγος ὡς ὁ Ἰππίας ἀποστήσας

15 μὲν δεχόμενος K-W, H-L (K², B); μετερχόμενος K¹.

K-W², H-L; ἐτέρων K-W¹.

μὲν οὖν K¹; ὡς τὴν H-L.

20 παρὰ: περὶ H-L.

δ': γὰρ invita papyro K-W.

19 λοιπῶν B; ἄλλων K,

21 τὴν δ' K-W (K², B); [τῇ]

gates, and it was there that he disarmed the citizens. The text describes H and A as waiting for Hippas on the Acropolis. On observing some one conversing with Hippas, they descend (καταβάντες) and slay Hipparchus near the Leocorium. The two accounts are impossible to reconcile. In more than one point our author deliberately differs from the historian (*inf.* § 4).

ἰδόντες—συλλήψεως] Thuc. vi 57 § 3, ὡς εἰδὼν τινα τῶν ξυνωμοτῶν σφίσι διαλεγόμενον οἰκείως τῷ Ἰππία... ἐβείσαν καὶ ἐνόμισαν μεμνησθῆναι τε καὶ δοῦν οὐκ ἥδη συλληφθῆσθαι. πρὸ τῆς συλλήψεως confirms Thuc. i 21, πρὶν συλληφθῆναι, suspected by Cobet.

προεξαναστάντες τῶν λοιπῶν] 'having begun the attack without waiting for their confederates.'

Ἰππαρχον διακοσμοῦντα τὴν πομπήν] Thuc. i 21 § 3, τῷ Ἰππαρχῷ περιτυχόντες περὶ τὸ Λεωκόριον καλούμενον τὴν Παναθηναϊκὴν πομπὴν διακοσμοῦντι ἀπέκτειναν. In vi 57, the historian mentions Hippas alone as marshalling the procession outside the gates: (Harm. and Ar.) περιτυχὼν τῷ Ἰππαρχῷ παρὰ τὸ Λεωκόριον καλούμενον.

τὸ Λεωκόρειον] The monument of the three daughters of Leos who, at the command of an oracle, sacrificed themselves for their country, [Dem.] 60 § 29, Cic. *Nat. Deor.* iii 50. Harpocration places it in the midst of the (inner) Cerameicus. It is mentioned in connexion with the ἀγορά in Dem. 54 § 7. Cf. Wachsmuth, *Stadt Athen*, ii 417,

and Judeich in *Fleckeis. Jahrb.* 1890, p. 756.

§ 4. πολὺν χρόνον αἰκισθεὶς] Thuc. vi 57 § 3, οὐ ῥάδις διετέθη.

κατηγορήσεν—ἦσαν] The story is told of Aristogeiton and Hippas by Seneca, *de Ira*, ii 23, and Justin. ii 9 §§ 1—6. Cf. Diod. Sic. x 16 §§ 3, 4. The like story is told of Zeno of Elea, Cic. *Task.* ii 52, Val. Max. iii 3 E § 1 (where the tyrant is Phalaris, as in Heraclides Ponticus in Athen. 652 B), Diog. Laert. ix 26, 27, Plut. ii 505 D (Mayor). Polyaeus i 22, Ἀριστογείτων, ὑπὸ τῶν δορυφόρων στρεβλούμενος περὶ τῶν συνειδόντων, τῶν μὲν συνειδόντων ὡμολόγησεν οὐδέν, πάντας δὲ τοὺς Ἰππίου φίλους κοινωῆσαι τῆς ἐπιθέσεως· ὅπότε δὲ τούτους Ἰππίας ἀπέκτεινε, τότε ὁ Ἀριστογείτων ὠμείδισεν αὐτῷ τὸ στρατήγημα τῶν φίλων.

ταῖς ἀνάγκαις] Hdt. i 116, Ἀστυάγη δὲ μὴ οὐκ εὖ βουλευσέσθαι ἐφῆε ἐπιθυμούντα εἰς ἀνάγκας μεγάλας ἀπικτέσθαι, ἅμα τε λέγων ταῦτα ἐσθίμην τοῖσι δορυφόροις λαμβάνειν αὐτόν. ὁ δὲ ἀγόρευσε εἰς τὰς ἀνάγκας οὕτω θῆ ἔφρανε τὸν ἐόντα λόγον. Antiphon, *de Chor.* 25. Thuc. i 99 § 1, προσάγοιτε τὰς ἀνάγκας.

φύσει] 'in birth', as in c. 5 § 3.

ἥχνος] met. as in Antiphon, *Tetral.* A γ 10, φανερώς δὲ τὰ ἔχνη τῆς ὑποψίας εἰς τοῦτον φέροντα, and A δ 10, τὰ ἔχνη τοῦ φάνου. Ar. *Hist. An.* 8, 588 a 33, ἐν τοῖς παισὶ τῶν ὕστερον ἔξω ἐσομένων ἐστὶν ἰδεῖν ὅσον ἔχνη καὶ σπέρματα, a 19; 9, 608 b 4.

ὁ λεγόμενος λόγος] Thuc. vi 58, (Hippas) ἐκέλευεν αὐτοὺς, δέξας τι χωρίον,

ἀπὸ τῶν ὅπλων τοὺς πομπεύοντας ἐφώρασεν τοὺς τὰ ἐγχειρίδια ἔχοντας οὐκ ἀληθῆς ἐστίν· οὐ γὰρ ἔπεμπον τό<τε> μεθ' ὅπλων, 5 ἀλλ' ὕστερον τοῦτο κατεσκευάσεν ὁ δῆμος. κατηγορεῖ δὲ τῶν τοῦ τυράννου φίλων, ὡς μὲν οἱ δημοτικοὶ φασιν, ἐπίτηδες ἵνα ἀσεβή- 30 σαιεν ἅμα καὶ γένοιτο ἀσθενεῖς ἀνελόντες τοὺς ἀναιτίους καὶ φίλους ἑαυτῶν, ὡς δ' ἔνιοι λέγουσιν, οὐχὶ πλαττόμενος ἀλλὰ τοὺς 6 συνειδότας ἐμήνυνε. καὶ τέλος ὡς οὐκ ἐδύνατο πάντα ποιῶν ἀποθανεῖν, ἐπαγγεिलाμένος ὡς ἄλλους μὴνύσων πολλούς, καὶ πείσας αὐτῷ τὸν Ἰππίαν δοῦναι τὴν δεξιὰν πίστεως χάριν, ὡς ἔλαβεν 35 ὀνειδίσας ὅτι τῷ φονεῖ τοῦ ἀδελφοῦ τὴν δεξιὰν δέδωκεν, οὕτω παρώ- ξυνε τὸν Ἰππίαν ὥσθ' ὑπὸ τῆς ὀργῆς οὐ κατεῖχεν ἑαυτὸν ἀλλὰ σπασάμενος τὴν μάχαιραν διέφθειρεν αὐτόν.

19. μετὰ δὲ ταῦτα συνέβαινε πολλῷ τραχυτέραν εἶναι τὴν τυραννίδα· καὶ γὰρ διὰ τὸ τιμωρεῖν τῷ ἀδελφῷ καὶ διὰ τὸ πολλοὺς

27 ΕΦΩΡΑΣΕΝ B: -σε K εἰς. 28 ΑΛΗΘΕΣ. ΕΠΕΜΠΟΝΤΟ: ἔπεμπον τό<τε> correxī cum H-L, K-W, etc. (K³); ἔπεμπόν πω Papabasilios (B). 31 -σαιεν H-L. ΑΣΘΕΝΕΙΣ, litteris CΘΕΝ obscure scriptis, super ἀνελόντες additum (K², K-W, B); ἀσθενεῖς K¹, ἐναγείς H-L, etc. 33 ἐδύνατο H-L: ἡλγυματο (K, K-W, B), quod in titulis non nisi post annum 300 A.C. invenitur, Meisterhans, p. 134². 35 αὐτῷ H-L. 36 ΤΑΔΕΛΦΟΥ (retinent K-W, B). ΔΕΔΩΚΕ (K, K-W, H-L, B). 37 ΚΑΤΕΣΧΕΝ correctum in -ΕΙΧΕΝ.

XIX 2 ΤΙΜΩΡΕΙΝ τιμωρῶν K-W. ΤΑΔΕΛΦΩΙ (K-W, B). καὶ διὰ τὸ secl. K-W.

ἀπελθεῖν εἰς αὐτὸ ἄνευ τῶν ὅπλων. καὶ οἱ μὲν ἀνεχώρησαν οἰόμενοι τὴν ἐρεὺν αὐτόν, ὃ δὲ τοῖς ἐπικούροις φράσας τὰ ὅπλα ὑπολαβεῖν ἐξελέγετο εὐθὺς οὐδὲ ἐπρηγῆτο καὶ εἰ τις εὐρέθη ἐγχειρίδιον ἔχων· μετὰ γὰρ ἀσπίδος καὶ δόρατος εἰώθεσαν τὰς πομπὰς ποιεῖν. The conspirators purposely selected the festival of the Panathenaea (about Aug. 13), ἐν ᾗ μόνον ἡμέρᾳ οὐχ ὅσποτον ἐγγίγνετο ἐν ὅπλοις τοὺς τὴν πομπὴν πέμφοντας ἀθρόοις γενέσθαι. (The passage in Lysias 13 § 80, συνηκολούθει γὰρ λαβὼν τὰ ὅπλα καὶ συνεπέμπε τὴν πομπὴν μετὰ τῶν πολιτῶν πρὸς τὸ δαῖτυ, quoted in Michaelis, *Panathenon*, 332, does not refer to the *Panathenaea*, but to the festal procession on the restoration of the democracy, on Sept. 21, 403.) The statement in the text is intended as a deliberate correction of the account in Thucydides, but we have now no means of ascertaining the ultimate authority for the correction. The first line of the famous scolium of Callistratus (probably written not long after the Persian war), implies that Harmodius and Aristo-

geiton concealed their daggers in branches of myrtle (ἐν μύρτῳ κλαδί τὸ ξίφος φορήσω), but says nothing about spear or shield.

§ 5. ἀσεβήσαιεν indicates the consequence of their destroying the innocent; γένοιτο ἀσθενεῖς, that of their destroying their own friends.

§ 6. πάντα ποιῶν] [Lys.] 8 § 5, ἐφάσκετε...πάντα ποιοῦντες οὐκ ἔχειν ὅπως ἀπαλλαγῇτέ μου. Lys. 12 § 84, πάντα ποιοῦντες δίκην παρ' αὐτῶν οὐκ ἂν δύνασθε λαβεῖν. Dem. 21 § 2, πάντα ποιοῦντος τοῦτου (ὁ δῆμος) οὐκ ἐπέλεσθη.

δυναδίσας] Cf. Polyæn. quoted on § 4. 'The narrative of the end of Aristogiton betrays the same liking for sensational stories as we trace, for instance, in Phylarchus' (W. L. Newman in *Class. Rev.* v 161 b).

XIX. *Hippias*. § 1. τραχυτέραν] Hdt. v 62 (of Hippias), ἐμπικρανομένον Ἀθηναίοις διὰ τὸν Ἰππάρχου θάνατον. Thuc. vi 59 § 1, τοῖς δ' Ἀθηναίοις χαλεπωτέρα μετὰ τοῦτο ἢ τυραννὶς κατέσθη, καὶ ὁ Ἰππίας διὰ φόβον ἤδη μάλλον ὢν τῶν τε πολιτῶν πολλοὺς ἔκτεινε κτλ.

ἀνηρηκέναι καὶ ἐκβεβληκέναι πᾶσιν ἦν ἄπιστος καὶ πικρός. ἔτει 2
δὲ τετάρτῳ μάλιστα μετὰ τὸν Ἰππάρχου θάνατον, ἐπεὶ κακῶς
5 εἶχεν τὰ ἐν τῷ ἄστει, τὴν Μουνιχίαν ἐπεχειρήσε τειχίζειν, ὥς
ἐκέισε μεθιδρυσόμενος. ἐν τούτοις δ' ὧν ἐξέπεσεν ὑπὸ Κλεομένους
τοῦ Λακεδαιμονίων βασιλέως, χρησμών γυγνομένων αἰετοῖς Λάκωσι
καταλύνει τὴν τυραννίδα διὰ τοιάνδ' αἰτίαν]. οἱ φυγάδες, ὧν οἱ 3
'Αλκμεωνίδαι προειστήκεσαν, αὐτοὶ μὲν δι' αὐτῶν οὐκ ἐδύναντο
10 ποιήσασθαι τὴν κάθοδον, ἀλλ' αἰετοῖς προσέπταιον || ἔν τε γὰρ τοῖς [Col. 8.]
ἄλλοις οἷς ἔπραττον διεσφάλλοντο, καὶ τειχίσαντες ἐν τῇ χώρᾳ
Λειψύδριον τὸ ὑπὲρ Πάρνηθος, εἰς δ' συνεξήλθον τινες τῶν ἐκ τοῦ

3 ΠΙΣΤΟ: πικρός K etc. 4 κακῶς: ENKAKΩI, postea correctum. 5 εἶχε H-L
τῷ a correctore additum abesse propter numeros mavult Blass. ΜΟΥΝΥΧΙΑΝ
passim: Μουνιχίαν K-W, H-L (K², B), cf. Meisterhans, p. 23². 6 ἐκέισε J B Mayor,
Sidgwick (H-L, B): ΕΚΕΙ K, K-W. 7 Λακεδαίμονος K², K-W¹. ΓΙΝ (K-W).
ΔΕΙ (edd.). 9 ἐδύναντο K, H-L: ΜΔΥΝΑΝΤΟ (K-W, B); cf. 18, 33. 10 ΑΙΕΙ
(K, K-W, B); cf. 5, 19. 12, 15 ΛΙΨΥΔΡΙΟΝ, idem habet Suidae cod. Medicus.
ΥΠΕΡ: ὑπό? J H Wright, in Herodoto ὑπὲρ Παιονίης ὑπὸ Πάρνηθος scriptum fuisse
arbitratus.

TESTIM. 3 πικρός. Heraclidis epitoma (611, 4²) Ἰππίας δὲ πικρότατα ἐτυράννει.
8—18 Etym. M. p. 361, 32 Gaisf. (=Suidas, Eustath.) ἐπὶ Λειψυδρίῳ μάχη:
χωρίον ἦν ὑπὸ τῆς Πάρνηθος δ' ἐτείχεσαν οἱ φυγάδες τῶν τυράννων ὧν οἱ Ἀλκμαι-
ωνίδαι προεστήκεσαν. ἐκπολιορκηθέντων δ' αὐτῶν ὑπὸ τῶν περὶ Πεισιστρατον,
σκόλιον εἰς αὐτοὺς ἦδeto “αἰαὶ—εὐπατρίδας,” οἱ τὸν (Etym. M. ed. Gaisf.; idem habent
Athen. 695 et Suidas; ὁπότε Etym. M. codex Dorvillii Bodleianus, et Apostolius vii
70) εἰδείξαν ὅταν πατέρων ἔσαν. Cf. Rose, Frag. 356², 394².

12 *Schol. Arist. Lys. 666: Λειψύδριον: χωρίον τῆς Ἀττικῆς περὶ τὴν Πάρνηθον
(ita codex Ravennas, τὸ ὑπὲρ Πάρνηθος Suid., ὑπὸ τὴν Πάρνηθον Et. M.), εἰς δ'
συνήλθον τινες (cod. L et Suidas) τῶν ἐκ τοῦ ἄστεος, ὡς φησιν Ἀρ. ἐν Ἀθ. πολ.
Ib. 665 ... (οἱ Ἀλκμαιωνίδαι) πόλεμον ἀράμενοι πρὸς Ἰππίαν τὸν τύραννον καὶ τοὺς
Πεισιστρατίδας ἐτείχεσαν τὸ Λειψύδριον. Hesych. Λειψύδριον: χωρίον τι ὑπὲρ Πάρ-
νηθος δ' ἐτείχεσαν Ἀλκμαιωνίδαι. Cf. Rose, l.c.

πικρός] Hdt. l. c., ἐμπικραινομένου.
§ 2. [ἔτει—τετάρτῳ] B.C. 511/0.
τὴν Μουνιχίαν—τειχίζειν] Plut. Sol.
12, λέγεται δὲ (Epimenides) τὴν Μουνιχίαν
ἰδῶν καὶ καταμαθὼν πολλὸν χρόνον εἰπεῖν
πρὸς τοὺς παρόντας, ὡς τυφλὸν ἔσθαι τοῦ
μέλλοντος ἀνθρώπου· ἐκφαγεῖν γὰρ αὐτὸν Ἀθη-
ναῖοις τοῖς αὐτῶν ὁδοῦσιν, εἰ προσήδσαν, ὅσα
τὴν πόλιν ἀνίσσει τὸ χωρίον (Diog. Laert.
i 114). The height of Munichia, which
commanded the harbours of Munichia
and Zea, is 255 Paris feet above the sea,
whereas the highest part of the Peiraeus
is only 191. It was an important point
in the fortification of the harbours, insti-
tuted by Themistocles; and its import-
ance is also shewn by the fact that in 411
B.C. we read of the commander τῶν περι-
πόλων τῶν Μουνιχίᾳσι τεταγμένων (Thuc.
viii 92, 3); it was fortified by Thrasybulus
in 403 (Xen. Hell. ii 4, 11—12; Diodor.
Sic. xiv 33, M. λόφον ἔρμον καὶ καρ-
τερόν). In the time of Alexander (325/4)
one of the στρατηγοὶ was specially ap-

pointed to guard this point (c. 61 § 1).
In 322 it was occupied by a Macedonian
garrison (Plut. Phocion 27, 28; Curtius,
Stadtgeschichte, p. 222); in 307 the fort
was destroyed by Demetrius Poliorcetes
(Plut. Demetr. 10), but was soon restored
in the Macedonian interest, to be evacua-
ted in 229. It was probably destroyed
by Sulla. By the time of Strabo (p. 395
c) it was in ruins (C. Wachsmuth, Stadt
Athen, ii 42—45).

ὑπὸ Κλεομένους] Hdt. v 64, 65.
χρησμών] ib. 63 (quoted on § 4).

§ 3. οἱ φυγάδες—προσέπταιον] Hdt. v
62, (the Alcmeonidae) ἅμα τοῖσι ἄλλοις
'Αθηναίων φυγάσι περρωμένοι κατὰ τὸ
λαχυρὸν οὐ προεχώρει κάτοδος, ἀλλὰ προσ-
έπταιον μεγάλως περρωμένοι κατένευαν τε
καὶ ἐλευθεροῦν τὰς Ἀθήνας, Λειψύδριον τὸ
ὑπὲρ Παιονίης τειχίσαντες. Duncker, G. d.
A. vi 501, places this incident in B.C. 513.
Cf. J. H. Wright, The date of Cylon, p. 54.
Λειψύδριον] a 'waterless' spot on the
southern flank of Parnes. The site has

ἀστεως, ἐξεπολιορκήθησαν ὑπὸ τῶν τυράννων, ὅθεν ὕστερον μετὰ ταύτην τὴν συμφορὰν ἦδον ἐν τοῖς σκολίοις [αἰεῖ].

αἰαὶ Λειψύδριον προδωσέταιρον,

15

οἶους ἄνδρας ἀπώλεσας μάχεσθαι

ἀγαθούς τε καὶ εὐπατρίδας,

οἱ τότε ἔδειξαν οἶων πατέρων ἔσαν.

4 ἀποτυγχάνοντες οὖν ἐν ἄπ[α]σι τοῖς ἄλλοις, ἐμισθώσαντο τὸν ἐν

13 μετα: eis K-W (B) ex Etym. Mag. 361, 33 σκόλιον eis αὐτοὺς ἦθετο. 14 ael secl. Hude, K-W, H-L, utpote ex dittographia ortum. 16—17 μάχεσθαι τ' ἀγαθούς

καὶ Eustathius; τ' ἀγαθούς, γένοι τ' Hermann, *El. D. Metr.* 695. καὶ εὐπατρίδας, idem habent Athenaeus, Suidas et Etym. Mag.: καὶ εὐπατρίδων Tyrrell; ἀγαθούς, καλοὺς, εὐπατρίδας Bury.

19 *Schol. in Arist. *Lys.* 1153: 'Ἀριστοτέλης φησὶ μετὰ τὸν Ἰππάρχου θάνατον χρησὸν γενέσθαι τοῖς Λάκωνσι καταλύειν τὴν τυραννίδα, τῆς Πυθίας, ὡς οἱ Ἀλκμαονίδαι ἐμισθώσαντο τὸν ἐν Δελφοῖς νεῶν οἰκοδομεῖν, συνεχῶς τοῦτο χρώσης αὐτοῖς μαρτυνομένοις, ὥς πρότερον μὲν Ἀγχιμόλον (cod. Rav.) ἐπεμψάν κατὰ θάλασσαν, ἀποκρουσθέντες δὲ αὐτοὺ ὀργισθέντες οἱ Λάκωνες Κλεομένη τὸν βασιλεὺς σὺν μείζονι ἐξέπεμψαν στόλῳ καὶ νικήσας τοὺς Θετταλοὺς ἐσῆλθεν εἰς τὴν Ἀττικὴν καὶ τὸν Ἰππίαν συνέλειπεν εἰς τὸ Πελαργικὸν τεῖχος, ὥς οἱ παῖδες τῶν τυράννων ἐξίοντες ἐάλωσαν (Rose, *Frag.* 357², 395³).

not been identified. Leake (*Demi*, p. 39), placing Paeonidae at *Menidhi*, regarded the monastery of St Nicolas at the upper end of a long acclivity three or four miles (*drei Stunden*, Kastromenos, *die Demen*, p. 95) to the N. as the site of Leipsydrium. The monastery is 'built in a strong situation upon the summit of a height, backed by the pine woods of Parnes and near the right bank of a remarkable torrent'. But the presence of the torrent is unfavourable to this identification of the 'waterless' spot. Kastromenos, *i.e.*, merely says of this torrent that its water 'has certainly never failed to supply Leipsydrium,' but he does not say clearly that this fact goes against the proposed identification. *Menidhi* is now identified as the site of Acharnae, while Paeonidae may possibly correspond to the ruined village of *Varipompi*, two hours north of *Menidhi* at the southern edge of Parnes, and Leipsydrium may have occupied the same position as the Pyrgos above that village (Hanriot, *Recherches*, p. 55 *sqq.*, quoted in Burian's *Geographie*, i 334).

ἦδον ἐν τοῖς σκολίοις] cf. c. 20 at end. On *scolia*, see K. O. Müller's *Lit. of Ancient Greece*, i 249 E. T. 'The rhythms of the extant *scolia* are very various, though, on the whole, they resemble those of the Aeolic lyric poetry; only that the course of the strophes is broken by an accelerated rhythm, and is

in general more animated. This is particularly true of the apt and elegant metre, which occurs in eight *Scolia* (one of them the *Harmodius*), and of which there is a comic imitation in Aristoph. *Ecl.* 938.

— ≈ — — — — — — — —
— ≈ — — — — — — — —
— ≈ — — — — — — — —
— ≈ — — — — — — — —

Here the hendecasyllables begin with a composed and feeble tone; but a more rapid rhythm is introduced by the anapaestic beginning of the third verse; and the two expressions are reconciled by the logaedic members in the last verse.' This scolium is quoted with many others in Athenaeus, xv p. 695.

προδωσέταιρον] a rare epithet appropriate to an impromptu song. It was afterwards used in late prose by Dio Cassius 58, 14. The only other word exactly parallel to it is *προδωσέκομος* of 'a boaster who breaks his word'. Both words are noticed by Lobeck, *Phrygn.* 770 (L and S).

§ 4. ἐμισθώσαντο—Ἀθήνας] Hdt. v 62, παρ' Ἀμφικτύωνων τὸν νηὸν μισθοῦνται τὸν ἐν Δελφοῖσι...ἐξοικοδομήσαι. οἱ δὲ χρημάτων εὐ ἤκοντες καὶ ἔντες ἄνδρες δόκμοι ἀνέκαθεν ἐτι, τὸν τε νηὸν ἐξεργάσαντο τοῦ παραβέγματος κάλλιον... (c. 63) ὡς οὖν δὴ οἱ Ἀθηναῖοι λέγουσι, οἱ τοὶ οἱ

- 20 Δελφοῖς νεὼν οἰκοδομεῖν, ὅθεν εὐπόρησαν χρημάτων πρὸς τὴν τῶν Λακωνῶν βοήθειαν. ἡ δὲ Πυθία προὔφερεν αἰετοῖς Λακεδαιμονίοις χρηστηριαζομένοις ἐλευθεροῦν τὰς Ἀθήνας, εἰς τοῦθ' ἔως προὔτρεψε τοὺς Σπαρτιάτας, καίπερ ὄντων ξένων αὐτοῖς τῶν Πεισιστρατιδῶν· συνεβάλλετο δὲ οὐκ ἐλάττω μοῖραν τῆς ὁρμῆς
25 τοῖς Λάκωσιν ἢ πρὸς τοὺς Ἀργεῖους τοῖς Πεισιστρατίδαις ὑπάρχουσα φιλία. τὸ μὲν οὖν πρῶτον Ἀγχίμολον ἀπέστειλαν κατὰ 5

20 οἰκοδομεῖν ὅθεν εὐπόρησαν χρημάτων, κ; χρησμών? Wyse; commatis signum post οἰκοδομεῖν (B) posuerunt H-L ('gravius vitium subesse' arbitrati), et K-W (lacuna post χρημάτων indicata). ὑπόρησαν H-L. 21 προὔφερεν H-L, cf. v. 23 προὔτρεψε: προεφ (K, K-W, B). αἰεῖ (K, K-W, B); cf. 5, 19. 22 ΕΙΣΤΟΥ-ΤΕΥΘΕΩΣ: cōpexit Blass e Schol. Arist. *Lys.* 1153 (K-W, H-L, K²). 24 CΥΝΕΒΑΛΛΕΤΟ (K, K-W, B): συνεβάλλετο Richards (H-L).

ἄνδρες ἐν Δελφοῖσι κατήμενοι ἀνέπειθον τὴν Πυθίαν, ὅπως ἔλθοιεν Σπαρτιητέων ἄνδρες εἰτε ἰδίῳ στόλῳ εἰτε δημοσίῳ χρησόμενοι, προφέρειν σφὶ τὰς Ἀθήνας ἐλευθεροῦν, ib. ii 180. Schol. Aeschin. 3, 116.

The temple at Delphi was burnt down in B.C. 548; the contract of 300 talents for rebuilding it is assigned by Duncker, *G. d. A.* vi 493, to about 535. Pharaoh Amasis, who contributed to its restoration, died in 526.

Rose, *A. P.*, p. 418, observes, on Schol. Arist. *Lysistr.* 1153, that the writer of the Ἀθ. πολ. must have closely followed Herodotus. But this is no proof of the spuriousness of the treatise, as Ar. frequently refers to Herodotus in his undisputed works: 123 b 9, 523 a 17, 736 a 10, 756 b 6, 1343 a 20, 1344 a 16, 1409 a 27, 1451 b 2 (Heitz, *Verl. Schriften*, p. 246).

It appears impossible to take ὅθεν as = ἀφ' ὧ (as proposed by Mr Kenyon). It can only mean: 'hence it was that they had abundance of money'. Similar uses of ὅθεν occur in 6 § 2, 7 § 4, 21 §§ 2, 4. We have here a slight divergence from the account in Herodotus. The historian describes the wealth of the Alcmaeonidae as enabling them to undertake the contract for rebuilding the temple, which they carried out in a splendid manner. The text states that, owing to their undertaking the contract, they had large supplies of money. These sums were entrusted to them to enable them to execute their contract, but they were (partly) applied to securing the aid of Sparta against the Peisistratidae. This account is confirmed by a subsequent Attidographer, Philochorus, *frag.* 70, FHG; 395, ap. Schol. Pind. *Pyth.* vii 9, λέγεται, δι

τὸν Πυθικὸν νεὼν ἐμπρησθέντα, ὡς φασιν, ὑπὸ τῶν Πεισιστρατιδῶν οἱ Ἀλκμαειονίδαι φυγαδευθέντες ὑπ' αὐτῶν ὑπέσχεοντο ἀνοικοδομήσαι, καὶ δεξάμενοι χρήματα καὶ συναγαγόντες δύνανται ἐπέσθεντο τοῖς Πεισιστρατίδαις, καὶ νικησάντες μετ' εὐχαριστηρίων πλείων ἀνοικοδόμησαν τῷ θεῷ τὸ τέμενος, ὡς Φιλόχορος ἱστορεῖ. Isocr. *de Perm.* 232 describes the Alcmaeonid Cleisthenes as having established the democracy, λόγῳ πείσας τοὺς Ἀμφικτύνας δανεῖσαι τῶν τοῦ θεοῦ χρημάτων αὐτοῦ. Similarly Dem. c. *Mid.* 144 says of the Alcmaeonidae: τοῖσιν δὲ φασιν ὑπὸ τῶν τυράννων ὑπὲρ τοῦ δήμου στασιάζοντας ἐκπεσεῖν, καὶ δανεῖσαι αὐτοῖς χρήματα' ἐκ Δελφῶν ἐλευθερώσαν τὴν πόλιν καὶ τοὺς Πεισιστράτου παῖδας ἐκβαλεῖν.

προὔφερειν] This defends προφέρειν in Hdt. v 63, against προφαίνειν (preferred by Bekker and Dindorf).

καίπερ ὄντων ξένων] Hdt. l. c., καὶ ξένους σφὶ ὄντας τὰ μάλιστα.

συνεβάλλετο—μοῖραν] Plat. *Tim.* 47 C, (λόγος) μεγίστην ἐνυμβαλλόμενος εἰς αὐτὰ μοῖραν, and often with μέρος. Ar. *de Anima* I, 402 b 22, συμβάλλεται μέγα μέρος πρὸς τὸ εἶδέναι, *Pol.* 22, 1458 a 34; *de Part.* *Anim.* iii 12, 673 b 25, συμβάλλεται πολὺ μέρος πρὸς ὑγίαν. *Pol.* iv (vii) 11, 1330 b 13, ταῦτα πλείστον συμβάλλεται πρὸς τὴν ὑγίαν, ii 9, 1270 a 14, συμβάλλεσθαι τι πρὸς τὴν φιλοχρηματίαν, iii 9, 1281 a 4, συμβάλλονται πλείστον εἰς—, vii (vi) 2, 1317 b 16, συμβάλλεται ταύτη πρὸς—.

ἡ πρὸς Ἀργεῖους—φιλία] c. 17 ad fin. § 5. Ἀγχίμολον] Hdt. v 63, πέμπουσι Ἀγχιμόλων—κατὰ θάλατταν πλοῖσι. Ἀγχίμολον is the reading in the Ravenna MS of Schol. on Aristoph. *Lys.* 1153.

θάλατταν ἔχοντα στρατιάν. ἡττη[θέν]τος δ' αὐτοῦ καὶ τελευτήσαντος, διὰ τὸ Κινέαν βοηθήσαι τὸν Θετταλὸν ἔχοντα χιλίους ἵππεις, προσοργισθέντες τῷ γενομένῳ, Κλεομένην ἐξέπεμψαν τὸν βασιλέα στόλον ἔχοντα μείζω κατὰ γῆν, ὃς ἐπεὶ τοὺς τῶν Θετταλῶν 30 ἵππεις ἐνίκησεν κωλύοντας αὐτὸν εἰς τὴν Ἀττικὴν παριέναι, κατακλείσας τὸν Ἰππίαν εἰς τὸ καλούμενον Πελαργικὸν τεῖχος ἐπολιόρκει μετὰ τῶν Ἀθηναίων. προσκαθημένου δ' αὐτοῦ συνέπεσεν ὑπεξιώντας ἀλῶναι τοὺς τῶν Πεισιστρατιδῶν υἱεῖς· ὧν ληφθέντων ὁμολογίαν ἐπὶ τῇ τῶν παίδων σωτηρίᾳ ποιησάμενοι, καὶ τὰ ἑαυτῶν 35 ἐν πένθ' ἡμέραις ἐκκομισάμενοι, παρέδωκαν τὴν ἀκρόπολιν τοῖς Ἀθηναίοις ἐπὶ Ἀρπακτίδου ἄρχοντος, κατασχόντες τὴν τυραννίδα

28 ΘΕΣΣΑΛΟΝ (K-W): Θετταλὸν (K, H-L, B), Meisterhans p. 72³. 29 προσοργισθέντες (K, K-W?, B): παρ- Naber (H-L) et K-W. 32 -κλεισας K, coll. Meisterhans, p. 28⁷: -κλήσας (K-W, H-L, B). 34 ΕΠΕΞΙΟΝΤΑΣ: ὑπεξιώντας Wyse

(K-W, H-L, K², B). 37 ΕΠΙΠΑΡΠΑΚΙΔΟΥ, ἐπὶ Ἀρπακτίδου (K, K-W, B, ἐφ' Ἀρπ. H-L).

Κινέαν] Hdt. l. c. Θεσσαλοὶ...ἀπέπεμψαν...χιλίων τε ἵππων καὶ τὸν βασιλέα τὸν σφέτερον Κινέην.

Κλεομένην—παριέναι] Hdt. v 64, μέζω στόλον στείλαντες ἀπέπεμψαν ἐπὶ τὰς Ἀθήνας, στρατηγὸν τῆς στρατιῆς ἀποδέξαντες βασιλέα Κλεομένηα τὸν Ἀναξανδρίδην, οὐκ ἐτι κατὰ θάλασσαν στείλαντες ἀλλὰ κατ' ἡπειρον· τοῖσι ἐσβαλοῦσι ἐς τὴν Ἀττικὴν χώραν ἢ τῶν Θεσσαλῶν ἵππος πρώτη προσέμψε καὶ οὐ μετὰ πολλὸν ἐράπετο. Arist. Lys. 1150—6.

κατακλείσας—Ἀθηναίων] Hdt. l. c. ἄμα Ἀθηναίῳ τοῖσι βουλομένοισι εἶναι ἐλευθέρουσι ἐπολιόρκει τοὺς τυράννους ἀπεργαζόμενος ἐν τῷ Πελασγικῷ τείχεϊ.

Πελαργικὸν τεῖχος] the ancient fortification surrounding the west end (if not the whole) of the Acropolis; it had nine gates, and was the chief fortress of Athens until the expulsion of the Peisistratidae. It was thereupon destroyed and its site was left unoccupied (Thuc. ii 17). Even in the second century A.D. the blocks of stone from its ruined walls were still to be seen (Lucian, *Piscator* 47). Cf. Bursian, *Geogr.* i 305 and Lolling in I. Müller's *Handbuch*, iii 337. Curtius insists on the literal sense of the passages describing it as surrounding the Acropolis, Hdt. vi 137, τοῦ τεύχεος τοῦ περὶ τὴν ἀκρόπολιν ποτε ἐληλαμένου, Dionys. Hal. i 28, Paus. i 28 3 (*Stadtgeschichte* pp. LXXVI, 47, and map on p. 61). Cf. Holm, ii 341. After the

building of the wall of Cimon, the name was probably confined to the west end of the fortification (Judeich in *Fleckeis. Jahrb.* 1890, p. 753 f.).

§ 6. **ὑπεξιώντας]** Hdt. v 65, ὑπεκτιθέμενοι γὰρ ἔξω τῆς χώρας οἱ παῖδες τῶν Πεισιστρατιδῶν ἦλυσαν. ὁμολογίαν κτλ.] *id.* παρέστησαν—ὥστε ἐν πέντε ἡμέρῃσι ἐκχωρήσαι ἐκ τῆς Ἀττικῆς.

ἐπὶ Ἀρπακτίδου ἄρχοντος] The expulsion of the Peisistratidae belongs to the year 511/0 B.C., being placed by Thuc. vi 59 § 5 (παυθεὶς ἐν τῷ τετάρτῳ), in the fourth year of the sole rule of Hippias, which began in 514 B.C. It is also the fourth year before the archonship of Isagoras in B.C. 508/7 (21 § 1). The name of the archon is now known for the first time.

When Thucydides (*l. c.*), as observed by Mr Kenyon, describes Hippias as fighting at Marathon 'in the 20th year' after his expulsion, he is using a round number, as the actual interval was 20 years and a few months. Mr E. S. Thompson (*Class. Rev.* vi 181) connects the Plataean alliance with the expulsion of the Peisistratidae, placing both events in B.C. 511/0. Hence, in Thuc. iii 68, where the fall of Plataea is put in the 93rd year after its alliance with Athens, Mr Thompson proposes to alter the 93rd into the 84th year.

38 μετὰ τὴν τοῦ πατρὸς τελευταίαν ἔτη μάλιστα ἑπτακαίδεκα, τὰ δὲ σύμπαντα σὺν οἷς ὁ πατήρ ἤρξεν ἐνὸς δεῖν πεντήκοντα.

20. καταλυθείσης δὲ τῆς τυραννίδος, ἐστασίαζον πρὸς ἀλλ[ήλ]ους Ἰσαγόρας ὁ Τεισάνδρου, φίλος ὢν τῶν τυράννων, καὶ Κλεισθένης τοῦ γένους ὢν τῶν Ἀλκμεωνιδῶν. ἡττώμενος δὲ ταῖς 5 ἑταιρείαις ὁ Κλεισθένης προσηγάγετο τὸν δῆμον, ἀποδιδούς τῷ πλήθει τὴν πολιτείαν. ὁ δὲ Ἰσαγόρας ἐπιλειπόμενος τῇ δυνάμει 2 πάλιν ἐπικαλεσάμενος τὸν Κλεομένην, ὄντα ἑαυτῷ ξένον, συνέπει- σεν ἐλαύνειν τὸ ἄγος, διὰ τὸ τοὺς Ἀλκμεωνίδας δοκεῖν εἶναι τῶν

39 δεῖν J E B Mayor, Sidgwick, K-W (K²): Δει hic et 27 § 2 (H-L, B).

XX 2 TICANΔΡΟΥ. 3 ΑΛΚΜΕΟΝΙΔΩΝ hic et v. 20. ΗΤΤΗΜΕΝΟΣ (K): ἡττώμενος Blass coll. Hdt. v 66 (K-W, H-L). 5 ΕΠΙΛΕΙΠΟΜΕΝΟΣ (K, K-W, B), cf. 27 § 4, 34 § 3: ἀπολειπόμενος Richards, Kontos, H-L; ὑπο- Haskins. 7—8 ἄγος et ἡγλάτει K et H-L; ceterum cf. Jebb ad Soph. O. T. 402.

39 Schol. Arist. *Vesp.* 502...δοκεῖ δὲ ἡ τυραννὶς καταστῆναι, ὡς φησιν Ἐρατοσθένης, ἐπὶ ἔτη 5 (50), τοῦ ἀκριβοῦς διαμαρτάνων, Ἀριστοτέλους (Bentley; legebatur Ἀριστοφάνους) μὲν τεσσαράκοντα καὶ ἓν (per errorem pro ἐννέα scriptum) φήσαντος, Ἐροδότου δὲ (v 65) ἔξ καὶ τριάκοντα (Rose, *Frag.* 358², 396²).

ἔτη μάλιστα ἑπτακαίδεκα—ἐνὸς δεῖν πεντήκοντα] In *Pol.* viii (v) 12, 1315 b 31, the rule of the sons lasts 18 years, while from the beginning to the end of the τυραννὶς of the father is 33 years, thus giving a total of 51 years. The 49 years of the text include 'about 17 years' for the rule of the sons, added to the 33 years assigned to the father in c. 17 § 1. In Hdt. v 65 the actual τυραννὶς of Peisistratus and his sons lasts for 36 years. It is probably by deducting from this number the 17 years here mentioned, that the writer gets 19 years as the duration of the actual rule of Peisistratus in 17 § 1.

σὺν] Rare in Attic prose, except in Xenophon, its place being generally taken by μετὰ with gen. One of the special uses of σὺν in Attic prose is to express numerical addition. According to Eucken, *Sprachegebrauch des Ar.*, p. 29, the following are the only instances of σὺν in the genuine writings of Aristotle. *Met.* 1039 b 21, σὺν τῇ ὄλῃ συνειλημμένους, 1044 b 15, ἐὰν δὲ προστεθῇ τὸ ὑπὸ γῆς ἐν μέσῳ γινωμένης, ὁ σὺν τῷ αἰτίῳ λόγος οὗτος, 1058 b 17, σὺν τῇ ὄλῃ οἱ λόγοι αὐτῶν. *Meteor.* 348 a 24, φερόμενα σὺν ψόφῳ πολλῷ. *Hist. Anim.* 490 a 32, αἱ γὰρ καμπαὶ τέτταρες, ἡ δὲ σὺν τοῖς πτερυγίοις, 525 b 15—17, πόδας δ' οὐ μὲν κάραβοι ἐφ' ἐκάτερα ἔχουσι πέντε σὺν ταῖς ἐσχάταις χηλαῖς· ὁμοίως δὲ καὶ οἱ καρκίνοι δέκα τοὺς πάντας σὺν ταῖς χηλαῖς. *De partib. anim.* 683 b 3, ἐξάποδα δὲ τὰ τοιαῦτα πάντ' ἐστὶ

σὺν τοῖς ἀπτικοῖς μορίοις. It will be observed that in several of these exx. the numerical sense is prominent. In the spurious works near the time of Ar. there is no instance of σὺν, but it occurs in those of much later date. In the most extensive of the works of Theophrastus it is only found thrice: *Hist. Pl.* ix 20, 4, *Caus. Pl.* ii 17, 8, v 6, 6 (Eucken, p. 39).

δεῖν, not δέει, is the right form here, and in c. 27, ἐνὸς δεῖν πεντηκοστῷ ἔτει, as well as in *Rhet.* ii 14 *fin.* To make δεῖν stand for δέον is a barbarism (Kühner, *Gr. Gr.* § 50, 11, p. 216 Blass) and cannot be defended on the analogy of πλεῖν ('more than') which is really for πλείων, not for πλέων. It is remarkable that this numerical expression (= *undequinquaginta*) has escaped lexicographers and grammarians (Mayor).

XX—XXII. *The Constitution of Cleisthenes.*

XX § 1. ἡττώμενος—δῆμον] Hdt. v 66, (Κλεισθένης καὶ Ἰσαγόρας) ἐστασίασαν περὶ δυνάμει, ἐσσούμενος δὲ ὁ Κλεισθένης τὸν δῆμον προσεταιρίζεται, *ib.* 69 *fin.* ἦν δὲ τὸν δῆμον προσθέμενος πολλῷ κατύπερθε τῶν ἀντιστασιωτῶν. (70) ἐν τῷ μέρει δὲ ἐσσούμενος ὁ Ἰσαγόρας ἀντιτεχνᾷται τάδε. Ὁν ἑταιρείαι cf. *Pol.* 1313 a 39 ff.

§ 2. ἐπικαλεσάμενος—ξένον] Hdt. v 70, ἐπικαλέεται Κλεομένην...γενόμενον ἐν αὐτῷ ξένον.

ἐλαύνειν τὸ ἄγος] Cf. c. 1.

3 ἐναγῶν. ὑπεξελθόντος δὲ τοῦ Κλεισθένης μετ' ὀλίγων, ἡγηλάται
 τῶν Ἀθηναίων ἐπτακοσίας οἰκίας· ταῦτα δὲ διαπραξάμενος, τὴν
 μὲν βουλὴν ἐπειράτο καταλύειν, Ἰσαγόραν δὲ καὶ τριακοσίους τῶν 10
 φίλων μετ' αὐτοῦ κυρίου καθιστάναι τῆς πόλεως. τῆς δὲ βουλῆς
 ἀντιστάσης καὶ συναθροισθέντος τοῦ πλήθους, οἱ μὲν περὶ τὸν
 Κλεομένην καὶ Ἰσαγόραν κατέφυγον εἰς τὴν ἀκρόπολιν· ὁ δὲ δῆμος
 δύο μὲν ἡμέρας προσκαθεζόμενος ἐπολιόρκει, τῇ δὲ τρίτῃ Κλεομέ- 15
 νην μὲν καὶ τοὺς μετ' αὐτοῦ πάντας ἀφείσαν ὑποσπόνδους, Κλει-
 4 σθένην δὲ καὶ τοὺς ἄλλους φυγάδας μετεπέμψαντο. κατασχόντος
 δὲ τοῦ δήμου τὰ πράγματα, Κλεισθένης ἡγεμῶν ἦν καὶ τοῦ δήμου
 προστάτης. αἰτιώτατοι γὰρ σχεδὸν ἐγένοντο τῆς ἐκβολῆς τῶν
 τυράννων οἱ Ἀλκμεωνίδαι, καὶ στασιάζοντες τὰ πολλὰ διέτελεσαν.
 5 ἔτι δὲ πρότερον τῶν Ἀλκμεωνιδῶν Κήδων ἐπέθετο τοῖς τυράννοις· 20
 διὸ καὶ ᾗδον καὶ εἰς τοῦτον ἐν τοῖς σκολίοις·

ἔγχει καὶ Κήδωνι, διάκονε, μῆδ' ἐπιλήθου,
 εἰ χρὴ τοῖς ἀγαθοῖς ἀνδράσιν οἰνοχοεῖν.

21. διὰ μὲν οὖν ταύτας τὰς αἰτίας ἐπίστευεν ὁ δῆμος τῷ
 Κλεισθένει. τότε δὲ τοῦ πλήθους προεστηκώς, ἔτει τετάρτῳ μετὰ
 2 τὴν τῶν τυράννων κατάλυσιν, ἐπὶ Ἰσαγόρου ἄρχοντος, πρῶτον μὲν

8 <ἀφικόμενος ὁ Κλεομένης> μετ' ὀλίγων ἡγηλάται add. K-W² ex Hdt. v 70.
 ἀγῆλαται B, coll. Hdt. v 72. 11 ἄτογ sc. μετὰ του. 15 ἀφίεσαν:
 ἀφείσαν (K-W, B). κλεισθενην (K-W, H-L, B); cf. 22 § 1, et Kühner, *Gr. Gr.* i
 p. 512². 19 ἀντιστασιάζοντες H-L. πρὸς τοῦτους vel κατὰ τοῦτων desiderat Gen-
 nadios. 23 εἰ δὴ χρὴ ἀγαθοῖς minus bene Athen. 695; εἰ δὴ χρὴ σ' ἀγαθοῖς Bergk.
 'Ο.

XXI 1 ΕΠΙΣΤΕΥΕΝ, cf. 35 § 3 ἔχαιρον ἡ πόλις. ἐπίστευεν ὁ δῆμος K, H-L, B: ἐπί-
 στενον [ὁ δῆμος] Rutherford, Bury, K-W. 3 ἐπ' H-L.

§ 3. ὑπεξελθόντος] Hdt. v 72, Κλεομέ-
 νης δὲ ὡς πέμπων (κῆρυκα) ἐξέβαλλε Κλει-
 σθέnea καὶ τοὺς ἐναγῆας, Κλεισθένης μὲν
 αὐτὸς ὑπεέσχε. ἡγηλάται] id. ἀγῆλαται
 ἐπτακόσια ἐπίστια Ἀθηναίων.

ταῦτα δὲ—ὑποσπόνδους] Hdt. v 72,
 ταῦτα δὲ ποιήσας δεύτερα τὴν βουλὴν
 καταλύειν ἐπειράτο, τρηκοσίαισι δὲ τοῖσι
 Ἰσαγόρῳ στασιώτῃσι τὰς ἀρχὰς ἐνεχειρίζε.
 ἀντισταθείσης δὲ τῆς βουλῆς καὶ οὐ βου-
 λομένης πείθεσθαι ὁ τε Κλεομένης καὶ ὁ
 Ἰσαγόρης καὶ οἱ στασιῶται αὐτοῦ καταλαμ-
 βάνουσι τὴν ἀκρόπολιν. Ἀθηναῖον δὲ οἱ
 λοιποὶ τὰ αὐτὰ φρονήσαντες ἐπολιόρκειον
 αὐτοὺς ἡμέρας δύο· τῇ δὲ τρίτῃ ὑπόσπονδοὶ
 ἐξέρχονται ἐκ τῆς χώρας οσοὶ ἦσαν αὐτῶν
 Λακεδαιμόνιοι. Isagoras withdrew with
 the Lacedaemonians (74); the rest of the
 Athenians who had taken his side were
 put to death (72 fin.).

μετεπέμψαντο] Hdt. v 73, Κλεισθέnea

καὶ τὰ ἐπτακόσια ἐπίστια τὰ διωχθέντα
 ὑπὸ Κλεομένους μεταπεμψάμενοι.

§ 4. τοῦ δήμου προστάτης] c. 2 § 2
 ad fin.

§ 5. Κήδων] Nothing else is known of
 this person. His endeavour to expel the
 tyrants was doubtless one of the unsuc-
 cessful attempts recorded in c. 19 in the
 general phrase: *ἀεὶ προσέπειται*.

καὶ εἰς τοῦτον] i.e. as well as the
 baffled heroes of Leipsydrium celebrated
 in the song recorded in c. 19, and quoted
 by Athenaeus immediately after this
 couplet. This juxtaposition seems to
 shew that both quotations were derived
 from this work.

XXI § 1. ἔτει τετάρτῳ...ἐπὶ Ἰσαγόρου
 ἀρχόντος] The fourth year after the
 expulsion of the Peisistratidae (511/0)
 corresponds to 508/7 B.C. The archon-
 ship of Isagoras is placed by Dionysius

συνένειμε πάντας εἰς δέκα φυλάς ἀντὶ τῶν τεττάρων, ἀναμείζαι
5 βουλόμενος ὅπως μετὰσχωσι πλείους τῆς πολιτείας· ὅθεν ἐλέχθη

4 ΟΥΝΕΝΕΙΜΕ: συνένειμε Newman, Kontos, Gertz, H-L (K² coll. 41 § 2, B); οὐν συνένειμε K-W, qui lacunam post ἀρχωντος indicatam ope Ar. Pol. 1275 ὁ 36 explendam censent. διένειμε Wyse, ἀνένειμε Thompson. ἀναμείζαι K-W, H-L, K²; cf. 3 § 5 σύμμιξις: ἀναμείζαι.

Hal., *Ant. Rom.* i 74, in Ol. 68, i = 508/7 B.C.; and his second mention of the same date, in v 1, shews that it was an Olympic year.

The text implies that the reforms of Cleisthenes were subsequent to the expulsion of Isagoras and Cleomenes. Cleisthenes begins by offering (ἀποδίδου, 20 § 1) the commons a share in the constitution; Isagoras appeals to Cleomenes for his assistance against Cleisthenes, and is defeated; thereupon Cleisthenes carries out his proposed reforms. Herodotus briefly mentions some of these reforms (v 66 and 69), and describes the calling in of Cleomenes as a counter-move on the part of Isagoras (70). Hence modern historians, e. g. Thirlwall, Grote, Curtius and Busolt, place the constitutional reforms of Cleisthenes before the calling in of Cleomenes. This appears improbable, for (as justly observed by Mr Kenyon) 'there was not time to have introduced such extensive constitutional changes before the Spartan invasion; a remark which had already been made by Sauppe, *De Demis Urbanis*, p. 1. The evidence of Herodotus, when carefully examined, is partly in favour of the account in the text. He begins by describing Cl. as courting the aid of the commons (τὸν δῆμον προσεταιρίζεται). He then adds that it was afterwards (μετὰ δέ) that Cl. transformed the four tribes into ten. This part of his narrative is a digression, and the story is resumed in c. 69, ἥν τε τὸν δῆμον προσθέμενος πολλῶν κατ' ὑπερβὴν τῶν ἀντιστασιωτῶν. In this view, I find myself in agreement with Lugebil, *Philol. Suppl.* Bd. iv 165.

§ 2. εἰς δέκα φυλάς ἀντὶ τῶν τεττάρων κτλ.] Hdt. v 66, μετὰ δὲ τετραφύλους ἔοντας Ἀθηναίους δεκαφύλους ἐποίησε κτλ. *ib.* 69, τὰς φυλάς μετωνόμασε καὶ ἐποίησε πλείους ἐξ ἑλασσόνων· δέκα τε δὴ φυλάρχους ἀντὶ τεσσάρων ἐποίησε, δέκα δὲ καὶ τοὺς δῆμους συνένειμε ἐς τὰς φυλάς. In the *Politics*, Ar. alludes to these reforms as follows: iii 2, 1275 ὁ 37, ἅλλ' ἴσως ἐκεῖνο μᾶλλον ἔχει ἀπορίαν, ὅσοι μετέσχον μεταβολῆς γενομένης πολιτείας (cf. μετὰσχωσι... τῆς πολιτείας), ὅσον Ἀθηναίων ἐποίησε Κλει-

σθένης μετὰ τὴν τῶν τυράννων ἐκβολήν· πολλοὺς γὰρ ἐφυλέτευσε ξένους καὶ δούλους μετοίκους, i.e. enrolled (as citizens) in the tribes not only free-born foreigners but also slaves who by emancipation had already become μέτοικοι (cf. Gilbert, *Gr. St.* i 144; Hermann, *Staatsalt.* § 111, 18). The text, as it stands, makes no direct mention of these, though it incidentally names the νεοπολίται at the end of § 4. Cf. *ib.* vii (vi) 4, 1319 ὁ 20, ἐτι δὲ καὶ τὰ τοιαῦτα κατασκευάσματα χρήσιμα πρὸς τὴν δημοκρατίαν τὴν τοιαύτην, οἷς Κλεισθένης τε Ἀθηναίων ἐχρήσατο βουλόμενος αὐξήσαι τὴν δημοκρατίαν, καὶ περὶ Κυρήνην οἱ τὸν δῆμον καθιστάντες. φυλαὶ τε γὰρ ἕτεραι ποικίλαι πλείους καὶ πατρίαι, καὶ τὰ τῶν ἰδίων ἱερῶν συνακτέον εἰς ὀλίγα καὶ κοινά, καὶ πάντα σοφαστέον ὅπως ἂν διὰ μάλιστα ἀναμιχθῶσι (cf. ἀναμείζαι) πάντες ἀλλήλους, αἱ δὲ συνήθεια διαζευχθῶσι αἱ πρότεραι. See Grote, c. 31, ii p. 109—113; and *inf.* p. 83.

ὅθεν—βουλομένους] Hence the advice, not to notice the tribe, which was tendered to those who would scrutinise (the lists of) the clans.' This is the interpretation suggested by Mr Kenyon who, in the course of an excellent note, observes that, as the φυλαί, after the reforms of Cleisthenes, 'no longer bore any relation to the γένη, it was useless to enter on an examination of the tribes for the purpose of reviewing the lists of the γένη... A number of persons were admitted to the new tribes who had not been members of the old, and these were not necessarily entered on the rolls of any of the γένη. Formerly, on any review of the citizen-roll, it was no doubt usual to go through it tribe by tribe, following all the subdivisions of the old patriarchal system. Now, the tribe-roll had no relation to that of the γένη, and consequently those persons who wished to examine the latter would have nothing to do with distinctions of tribe.' In the words of Grote, c. 10, ii 273, 'the gentes had no connection, as such, with these new tribes, and the members of the same gens might belong to different demes'.

- 9] καὶ τὸ μὴ φυλοκρινεῖν, || πρὸς τοὺς ἐξετάζειν τὰ γένη βουλομένους.
 3 ἔπειτα τὴν βουλὴν πεντακοσί[ους] ἀντὶ τετρακοσίων κ[ατ']έστησεν,
 πεντήκοιτα ἐξ ἐκάστης φυλῆς· τότε δ' ἦ[σα]ν ἑκατόν. διὰ τοῦτο
 δὲ οὐκ εἰς δώ[δε]κα φυλάς συνέταξεν, ὅπ[ως] αὐτῷ μὴ συμβαίνειν
 μερίζειν κατὰ τὰς προϋπαρχούσας τριττῦς· ἦσαν γὰρ ἐκ τεττάρων 10
 φυλῶν δώδεκα τριττῦες· ὥστ' οὐ [συν]έπιπτεν <ἀν> ἀναμίσγεσθαι
 4 τὸ πλῆθος. διένειμε δὲ καὶ τὴν χώραν κατὰ δῆμους τριάκοντα μέρη,

10 ΠΡΟΣ COPI. in ΚΑΤΑ. τεττάρων: ᾧ. 11 ΟΥΓ' ΕΠΕΙΠΤΕΝ? οὐκ ἂν
 συνέπιπτεν Richards (H-L); οὐ συνέπιπτεν ἂν Hude, K-W, K², B.

TESTIMONIA. 12—15 Michael Psellus περὶ τῶν ὀνομάτων τῶν δικῶν, p. 103 Boissonade, p. 1015 § 31 Migne, ἡ δὲ τριττὸς νεωτέρων ὄνομα παρὰ τοῖς Ἀθηναίοις ἐστὶ. Κλεισθένης γάρ τις, εἰς τριάκοντα μοῖρας τὴν Ἀττικὴν ἅπασαν διαιρέμας, ἐπειδὴ τὸ μὲν αὐτῆς ἐπιβαλταττιδίων ἦν, τὸ δὲ ἐπὶ τοῦ μέσου καθήστο τῆς χώρας, τὸ δὲ παρὰ τὸ ἄστυ συνέστρωτο, δέκα μὲν μοῖρας τῇ παραλίῳ συντέτευχε, δέκα δὲ κατέστησεν ἐπὶ τῇ μεσόγειον, δέκα δὲ ἄστυνόμοις ἐποίησε· καὶ τὸ τριτημόριον τριττὸς ὠνόμαστο (attulerunt K-W).

φυλοκρινεῖν] 'to draw distinctions between tribes'. The word occurs in Thuc. vi 18 § 2, εἴγε ἡσυχάζοιεν πάντες ἡ φυλοκρινοῖεν οἱς χρεῶν βοηθεῖν, where, like ταμεύεσθαι in § 3, and στορέσωμεν in § 4, it is a vivid metaphor characteristic of the speaker, Alcibiades. Cf. Lucian, *Alcibiades*, 4, οὐκ ἐν βάθος δρώτων, οὐδ' ἀκριβῶς φυλοκρινούτων (Schol. διακρινούτων, δοκιμαζούτων περιέργως) τὰς πόλεις, and *Phalaris alter*, 9, φυλοκρινεῖν τὰ ἀναθήματα καὶ γενεαλογεῖν τὰ πεμπόμενα, ὅθεν καὶ ἀφ' ὅτου καὶ ὅποια (in all these passages there is a v. l. φιλοκρινεῖν). In late authors we also have φυλοκρίσεις, φυλοκρινητέον, and φυλοκρινητικός (see L and S). Pollux, viii 110, after recounting the names of the Attic tribes, adds ἀπὸ δὲ φυλῶν τὸ φυλοκρινεῖν ὠνομάσθη; and Suidas explains φυλοκρινεῖ by διακρίνει, καταδοκιμάζει περιέργως. Cf. Phrynichus, p. 71, 8 Bekk. An. φυλοκρινεῖν· κυρίως μὲν τὸ τὰς φυλάς τὰς ἐν ταῖς πόλεσι διακρίνειν, σημαίνει δὲ καὶ τὸ ἄλλο τι διατάττειν καὶ διακρίνειν, id. *Arr. Soph.* p. 81, 7, φιλοκρίνει (sic)· διακρίνει, δοκιμάζει περιέργως, κατεξετάζει, quoted by Schmidt on Hesych. φυλ[λ]οκρινεῖν· τὰς φυλάς διακρίνειν.

ἐξετάζειν] Dem. 45 § 82, τὸν ἡμέτερον πατέρα ἐξήγαγες ὅστις ἦν (of one who was once a slave). Cf. note on Dem. *Leri*. § 5.

§ 3. τὴν βουλὴν] From this time forward the Solonian Council of 400 is superseded by that of 500, ἡ τῶν πεντακοσίων βουλὴ, or ἡ βουλὴ οἱ πεντακόσιοι (Aeschin. *Ctes.* § 2) as it was sometimes called, to distinguish it from the Council of the Areopagus. The institution of the

Council of the Five Hundred has always been attributed to Cleisthenes, in connexion with the introduction of the ten tribes; but this passage is probably the first express statement on the subject in any ancient author.

ὅπως—μὴ συμβαίνειν] *Inf.* ὅπως—μετέχῃ, and *Inf.* μὴ...ἐξελέγχωσιν.

τριττῆς] c. 8 § 3.
 οὐ συνέπιπτεν ἂν—πλήθος] 'quod si fecisset, non contigisset ut multitudo misceretur' Hude (placing ἦσαν—τριττῆς in a parenthesis).

§ 4. διένειμα—τριάκοντα μέρη] c. 30 § 3, διαιεῖμαι...τέτταρα μέρη, Xen. *Cyrop.* vii 5, 3, τὸ στράτευμα κατένειμε δώδεκα μέρη, Plato, *Politicus*, p. 283 D διελωμεν αὐτὴν δύο μέρη (Kühner *Gr. Gr.* § 411, 6 c).

Cleisthenes divided the whole of Attica into 30 portions, each of them called a τριττῦς. 10 of these were urban or suburban, 10 on the coast, and 10 in the interior. Each of the 10 tribes had three τριττῦς allotted to it, one from each of the above districts. Thus 'the tribe, as a whole, did not correspond with any continuous portion of the territory, nor could it have any peculiar local interest, separate from the entire community' (Grote). In this way the evils that had arisen during the previous century from the factions of the Shore, the Plain and the Mountain, were effectually counteracted.

The number of demes in each τριττῦς is not known. From the passage in Hdt. v 69, δέκα δὲ καὶ τοὺς δῆμους κατένειμε ἐς τὰς φυλάς, 'Cleisthenes distributed the demes among the tribes by tens', it has been inferred that he 'at first recognised exactly

δέκα μὲν τῶν περὶ τὸ ἄστυ, δέκα δὲ τῆς παραλίας, δέκα δὲ τῆς μεσογείου, καὶ ταύτας ἐπονομάσας τριττῦς, ἐκλήρωσεν τρεῖς εἰς τὴν 15 φυλὴν ἐκάστην, ὅπως ἐκάστη μετέχῃ πάντων τῶν τόπων. καὶ

100 demes, distributed in equal proportion among his 10 tribes'. This is the view of Schömann (*Ant.* p. 365 E. T.). K. F. Hermann (*Staatsalt.* § 111, 12) held that this is what Herodotus meant to affirm, but he does not accept the account as true. Gilbert, *Gr. St.* i 142, notes that the existence of the Attic demes before Cleisthenes is implied in [Plato], *Hipparch.* p. 228—9. He also quotes Herodian, *περὶ μνηστικῶν λέξεων*, p. 17, 8, 'Ἀραφὴν εἰς τῶν ἐκατὸν ἡρώων. Ἀραφὴν, one of the Attic demes, is thus identical in name with one of the 100 κτίσται ἐπώνυμοι of the demes. He therefore accepts the statement of Herodotus. Others again (e.g. Corsini, Grote in his first ed., and Dietrich, *de Cleisthene*, Halle, 1840, p. 32) connect δέκα with ἐν τὰς φυλάς and contend that such a collocation is not uncommon in Herodotus. Madvig, *Adv. Crit.* i 305, strikes out δέκα δὲ. Bake (*Bibliotheca Critica* iv 272) alters it into καὶ δὴ. Cf. Schömann, *On Grote*, § 6, and *Ant.* pp. 336, 366 E. T.

Even supposing that 100 demes were recognised by Cleisthenes, that number did not remain unaltered. Early in the 2nd century B.C. (in the time of Polemon, quoted by Strabo p. 396) the number was 174. The number known to us from inscriptions is 182, besides 8 doubtful cases (Hermann's *Staatsalt.* ed. 5, p. 797). Out of these 182, there are 14 duplicate names, such as 'upper' and 'lower *Lamprae*'; so that the number of known names of demes is 168. Landwehr (*Philologus*, Suppl. v, 1889 p. 161—166) holds that 174 was the original number, and that this remained unaltered. The number of τριττῦς was evidently constant and it may be fairly assumed that the demes belonging to each τριττῦς were, as a general rule, contiguous. If there were 100 demes, each of the 30 τριττῦς would contain 3 or 4 demes, twenty of them containing only 3 demes each, and the remaining ten as many as 4, ($20 \times 3 + 10 \times 4 = 100$). Dividing this number by 10 we get for each tribe $2 \times 3 + 1 \times 4$ demes, distributed in such a way that each tribe has one τριττῦς consisting of 4 demes, and 2 consisting of 3. In the case of each tribe, one of these τριττῦς would be situated in or near the

capital, one near the coast, and one in the interior. The following scheme shows how it would be possible to distribute 100 demes among ten tribes while assigning ten trittyses of 3 or 4 demes each to each of the 3 districts:

	urban or the suburban	the coast	the interior
<i>Erechtheis</i>	4	3	3
<i>Aegeis</i>	4	3	3
<i>Pandionis</i>	4	3	3
<i>Leontis</i>	3	4	3
<i>Acamantis</i>	3	4	3
<i>Oeneis</i>	3	4	3
<i>Cecropis</i>	3	3	4
<i>Hippothontis</i>	3	3	4
<i>Acantis</i>	3	3	4
<i>Antiochis</i>	3	3	4
	33	33	34

Total: 100 demes.

Out of the 160 demes in Smith's *Dict. Geogr.*, 124 are assigned to certain tribes; no tribe has less than 10, though several have more; *Acamantis*, *Hippothontis*, and *Leontis* having as many as 15, 16 and 17 respectively.

Athens itself, with its immediate neighbourhood, was divided into several demes and those demes assigned to several tribes, as follows: Agryle (*Erechtheis*), Kollytus and Diomeia (*Aegeis*), Kydathenaeon (*Pandionis*), Scambonidae (*Leontis*), Cerameicus (*Acamantis*), Lakiadae (*Oeneis*), Melite (*Cecropis*), Ceiriadae (*Hippothontis*), Phaleron (*Acantis*), Colonus ἀγοραῖος (*Antiochis*?). The Peiraeus was assigned to the tribe *Hippothontis*. (Lolling in I. Müller's *Handbuch*, iii 306.) In the case of the demes in or near Athens it would be difficult for them to be contiguous with the other demes in the same τριττῦς. It is not impossible that less than 3 demes may in some cases have constituted a τριττῦς. On the distribution of the demes among the tribes, cf. Wilamowitz, *Aus Kydathen*, i 110; Hug, *Gemeinden und Bürgerrecht in Attika*, 19; Milchhöfer, *Erl. Text zu Curtius und Kaupert, Karten von Attika* i 28, ii 39 n. 3 (Busolt, i 614, n. 5).

ὅπως ἐκάστη μετέχῃ πάντων τῶν τόπων] *Pol.* 1330 a 16, ἵνα—ἀμφοτέρων τῶν τόπων πάντες μετέχωσιν. *Plat. Leg.* 745 B-E (Newman).

δημότας ἐποίησεν ἀλλήλων τοὺς οἰκούντας ἐν ἐκάστῳ τῶν δήμων,
ἵνα μὴ πατρόθεν προσαγορεύοντες ἐξελέγχωσιν τοὺς νεοπολίτας,
ἀλλὰ τῶν δήμων ἀναγορεύωσιν· ὅθεν καὶ καλ[οῦ]σιν Ἀθηναῖοι
5 σφᾶς αὐτοὺς τῶν δήμων. κατέστησε δὲ καὶ δημάρχους τὴν αὐτὴν
ἔχοντας ἐπιμέλειαν τοῖς πρότερον ναυκράροις· καὶ γὰρ τοὺς δήμους 20

18 προσαγορεύωσιν Richards.

καὶ <νύν> K-W.

19—21 *Schol. Arist. *Nub.* 37 Ἄρ. δὲ περὶ Κλεισθένους φησὶ “κατέστησε καὶ δημάρχους—ἐποίησεν” (Rose, *Frag.* 397³, deerat in ed. 2). *Harp. ναυκραρικά... Ἄρ. δ' ἐν Ἀθ. πολ. φησὶ “κατέστησαν δὲ δημάρχους—ναυκράροις” δημίους (δημαίους cod. A) ἀντὶ τῶν ναυκράρων ἐποίησαν” (359³, 397³). *Harp. δήμαρχος... τοὺτους δὲ φησιν Ἄρ. ἐν Ἀθ. πολ. ὑπὸ Κλεισθένους κατασταθῆναι τὴν αὐτὴν ἔχοντας ἐπιμέλειαν τοῖς πρότερον ναυκράροις (*ib.*). Hesych. δήμαρχοι: οἱ πρότερον καλούμενοι ναῦκραι...

δημότας—δήμων] Under this arrangement every one originally belonged to the deme in which he lived. His descendants, whether they had property in the deme or not, continued to belong to the same deme. It was only through adoption that a member of one deme became a member of another, by being enrolled in the deme of his adoptive father (Dem. *Leoch.* §§ 22, 34; Schömann, *Antiq.* p. 367, E. T.).

ἵνα μὴ—νεοπολίτας] Many foreigners and resident aliens were added by Cleisthenes to the roll of citizens (*Pol.* 1275 b 37, quoted on p. 78). Such a newly enrolled citizen, if called by his father's name alone, would betray his foreign origin; but, by being designated by his deme, he lost the badge of his alien birth and was put on equal terms with the other members of the deme. **πατρόθεν]** Xen. *Oecon.* vii 3, Pausan. vii 7 § 4. **ἐξελέγχωσιν]** Dem. *Eubul.* 57 § 3, τοῖς μὲν ἐξελεγχόμενοις ξένους οὐσι χελεπαίνειν, and *ib.* § 51.

τῶν δήμων ἀναγορεύωσιν] ‘publicly (or officially) call them by their demes.’ Cf. τῶν δήμων Πιθεύς, τῶν δήμων Θορκίος (Plat. *Euthyphro*, 213, and Dem. 39 § 30), Lys. 23 § 2, ὅπῃ δὲν δημοτεύοιτο. It may be inferred that before the time of Cleisthenes Athenians were not described by the name of their demes. ‘In Athens, at least after the revolution of Kleisthenēs, the gentile name was not employed: a man was described by his own single name, followed first by the name of his father and next by that of the deme to which he belonged’ (Grote c. 10, ii 274).

§ 5. **κατέστησε—δημάρχους]** Photius, s.v. ναυκραρία, quotes from this treatise (c. 8 § 3), φυλαὶ δὲ ἦσαν—καθ' ἐκάστην. After this quotation should follow the words which have by mistake been placed before

it, viz.: ὅτερον δὲ ἀπὸ Κλεισθένους δημίοι εἰσι, καὶ δήμαρχοι ἐκλήθησαν. At the close of his article he cites Cleidemus (ἐν τῇ τρίτῃ): ὅτι Κλεισθένους δέκα φυλάς ποιήσας ἀντὶ τῶν τεσσάρων, συνέβη καὶ εἰς πεντήκοντα μέρη διαταγῆναι· αὐτοὺς (ταῦτα Müller) δὲ ἐκάλουν ναυκραρίας, ὥσπερ νῦν εἰς τὰ ἑκατὸν μέρη διαιρεθέντα (διαιρεθέντας Siebelis) καλοῦσι συμμορίας (FHG i 361). According to this view, the change in the number of tribes from four to ten involved a change in the number of ναυκραρία from 48 (12 × 4) to 50. If the normal number of demes recognised by Cleisthenes was 100, it would follow from this that he combined every two demes into a ναυκραρία (Schömann, *Ant.* p. 370 E.T.); or rather that he transferred the duties of each ναυκραρία to a pair of contiguous demes. The importance of the *Naucrariae* naturally did not remain the same as it had formerly been, and we hear in particular that the business which had once belonged to the *Naucrari* now passed to the Demarchs (*ib.* p. 370, on the authority of quotations from this passage in Harpocration &c.).

In the passage above cited from Photius Mr P. Giles (*English Historical Review*, 1892, p. 331) proposes, instead of πεντήκοντα (i.e. N) μέρη, to read τριάκοντα (i.e. A) μέρη, and to identify these μέρη with the τριτύς. He also assumes that this sentence was followed by a clause referring to the δημίοι. He is doubtless justified in adding that this treatise gives no direct support to the view that the ναυκραρία consisted of two δημίοι.

The Peripatetic, Demetrius Phalereus (Müller, FHG, ii 363), ascribed the establishment of demarchs not to Cleisthenes but to οἱ περὶ Σόλωνα (Newman).

ἀντὶ τῶν ναυκραριῶν ἐποίησεν. προσηγόρευσε δὲ τῶν δήμων τοὺς
μὲν ἀπὸ τῶν [τ]όπων, τοὺς δὲ ἀπὸ τῶν κτισάντων· οὐ γὰρ ἅπαν-
23 τες ὑπῆρχον ἐτι τοῖς τόποις. τὰ δὲ γένη καὶ τὰς φρατρίας καὶ τὰς 6

23 ἅπαντες ὑπῆρχον ἐτι (κ, κ-ω); εν| pro ἐτι Berol. (B, qui etiam in papyro Londin. εν legendum suspicatur; certe litteris valde obscuris ἐτι indicatur): ἅπαν κτλ coniecit κ (J B Mayor); ἅπαν ὑπῆρχον ὀνόματα Bury (H-L); etiam ἅπαντες <ol κτισάντες> ὑπῆρχον ἐτι τοῖς τόποις coniecerat Bury. 23 ΦΑΤΡΙΔΣ, idem habet corr. Berol.

προσηγόρευσε—κτισάντων] 'He named some of the demes from their localities, and some from their founders.' Demes were already in existence before Cleisthenes; but they were now recognised as component parts in the new constitutional order, and had their names fixed by official sanction. Many of them had local designations derived either from natural features (Ποταμός, Κηφισία, Ἐπικηφισία, Δειράδες, Ἀλιμοῖς), or places in their neighbourhood (Οἶον Δεκελειόν, Οἶον Κεραμεικόν), or plants or trees that grew there (Μαραθῶν, Ῥαμνοῖς, Μυρμινοῖς, Ἄγροῖς, Ἀχερδοῖς, Ἰτέα, Ἐλαιοῖς, Ἐρίκεια, Θρία, Πρασίαι, Πτελέα, Φηγροῖς). Among other local designations may be mentioned Οἰνώνη, Βῆσα, Λαμπτραί, Ἐλευσίς. Cf. Etym. Magn. s. v. Ἐλευσίς... ἡ ἀπὸ τῶν τόπων, ἡ ἀπὸ τῶν παρακειμένων αὐτοῖς, ἡ ἀπὸ τῶν ἐν αὐτοῖς φυτῶν, ἡ ἀπὸ τῶν ἐν αὐτοῖς χειροτεχνῶν, ἡ ἀπὸ τῶν οἰκησάντων (οἰκισάντων Leake) ἀνδρῶν καὶ γυναικῶν, and Schol. Aristoph. *Plut.* 586.

Other demes were named 'from their founders,' i. e. from one of the 'hundred heroes' or eponymous founders of the demes (Herodian, quoted on § 3). The names of these are collected by Sauppe, *De Demis Urbanis*, p. 4 ff.; but since many of them are obviously coined from the names of the demes, it is in these cases inaccurate to describe the demes as designated after their founders. Many of the demes were called after distinguished *gentes* who held property in them (e.g. Butadae, Thymaetadae, Cothocidae, Perithoedae, Semachidae, Scambonidae, Colleidae). There are as many as 30 such demes (25 of them are given in Grote, c. 10, ii 273 n.); and it has been suggested that all of these were constituted by Cleisthenes. 'It seems that Cleisthenes' (says Grote, l. c.) 'recognised a certain number of new demes to which he gave names derived from some important *gens* resident near the spot. It is thus that we are to explain the large number of Kleisthenean demes that bear patronymic names.' If, under Cleisthenes, the number of demes

was 100, it follows that before his time 70 demes were already in existence. (Cf. Smith, *Dict. Ant.* s. v. *Demus*.) 'The demes named after *gentes* are situated mainly in that part of the country which has been assigned to the *Phyle* of the Geleontes, and where accordingly the greater number of noble families and the most important of them lived' (Schömann, *Ant.* p. 366 n. E. T.). It is not impossible that τῶν κτισάντων is meant to include the ancestors of these families as well as the 'eponymous heroes'; but the distinction is immaterial, as a deme might readily regard, as its eponymous hero, the founder of the family from which it derived its name.

οὐ γὰρ—τοῖς τόποις] 'for (from the time of Cleisthenes) the demes were no longer called in all cases from the localities' (understanding προσαγορευθέντες from προσηγόρευσε); i. e. they then ceased to be in every instance designated by 'local' names. These old 'local' names had often been derived from the villages or hamlets included within the limits of the deme as constituted by Cleisthenes. Many of these were superseded by gentile or patronymic or heroic names,—names derived ἀπὸ τῶν κτισάντων. οὐ γὰρ ἐτι is inconsistent in sense with ὑπῆρχον, unless the latter is made to mean little more than ἦν. Possibly the sentence implies that (even in the time of Cl.) the demes had already lost their local designations, and had received names derived from persons instead. Cl. gave official recognition to both classes of names, local and personal. Poland translates as follows: *Denn nicht alle Gauen entsprachen mehr den alten Namen der Örtlichkeiten*, adding in a note, that, in naming the new demes, Cl. availed himself of the old names, but had often, for example, to break up an old deme into several divisions and thus create new names. Blass reads ἐν τοῖς τόποις, with the following interpretation: *non omnes demi erant inter vicos qui iam exstabant; itaque multos ab heroibus appellavit*.

ἱερωσύνas εἶασεν ἔχειν ἐκάστους κατὰ τὰ πάτρια. ταῖς δὲ φυλαῖς ἐποίησεν ἐπώνυμ[ους] ἐκ τῶν προκριθέντων ἐκατὸν ἀρχηγετῶν οὓς 15 ἀνείλεν ἢ Πυθία δέκα.

24 ἱΕΡΩCΥΝΑC (K, H-L, B): ἱερωσύνas K-W, Meisterhans, p. 36⁹. 25 ΕΠΩ-
ΝΥΜΟΥC Berol.; idem concierant J B Mayor, Richards: ἐπώνυμ[ί]as κ¹.

25—26 Etym. M. ἐπώνυμοι (locus infra exscriptus).

§ 6. τὰ δὲ γένη—πάτρια] The parallel passage in the *Politics*, 1319 b 20, quoted on p. 78, implies that Cleisthenes increased the number of the phratries (and it was so understood by Buermann, *Fahrh. f. kl. Phil. Suppl.* Bd. ix 1878, 597 sqq.). The text states that he allowed every one to remain in his former phratría. It was once held by Busolt (*Gr. Gesch.* i 394, note 5, after Landwehr, *Philologus*, Suppl. Bd. v 168) that the reference to the phratries in the passage in the *Politics* did not necessarily apply to Athens, but to Cyrene, which is mentioned in the same passage; and with this view Mr W. R. Paton agrees (*Class. Rev.* v 221 b). See also Duncker, *G. d. A.* vi 591 note. Busolt, however, has since admitted that the φρατρίαι are those of Athens (I. Müller's *Handbuch*, iv 1, p. 144 note 11); he adds that the present passage (as represented in the Berlin fragment) implies that the principle of the organisation of the phratries according to γένη remained unchanged. 'Probably the phratries before the time of Cleisthenes were larger bodies which, on the occasion of his reforms, were broken up into smaller portions. The number of the phratries is unknown; but they must have been more than 12' (*ib.*).

The present passage has been held to be 'somewhat out of harmony' with that in the *Politics*, and the question has been asked whether the statement as to priest-hoods can be easily reconciled with the fact that Cleisthenes converted a number of private worships into a few public ones' (Mr W. L. Newman, in *Class. Rev.* v 162 a). If we are compelled to choose, one would prefer the definite statement in the text to the inference drawn from the less definite statement in the *Politics*, not to mention the disturbing influence of the mention of Cyrene in that passage. The two statements may, however, be reconciled. I take the text to refer to those who were already citizens connected with existing γένη and φρατρίαι. Cleisthenes allowed all these to continue as of old in their respective γένη and φρατρίαι, with their religious

institutions intact. Among these institutions would be (1) the sacrificial rites performed by the φυλοβασιλεῖς, who survived the change from four tribes into ten (§ 3; 57 end); and (2) the hereditary priest-hoods such as those held by the Eumolpidae, Kerykes and Eteobuttadae. Cf. *Lex. Dem. Patm.* p. 152, Sakkellion, (of the 30 γεννηται) ὧν αἱ ἱερωσύναι ἐκάστοις προσήκουσαι ἐκληροῦντο, ὡς Εὐμολπίδαι καὶ Κήρυκες καὶ Ἐτεοβουττάδαι, ὡς ἱστορεῖ ἐν τῇ Ἀθ. πολ. Ἀριστοτέλης κτλ. (Rose, *Frag.* 385⁹).

In contrast to the existing citizens there were a number of other persons who had hitherto not belonged to that body and therefore had no γένη. These are the νεοπολῖται of § 4. It was for these that Cleisthenes provided new φρατρίαι. At the same time he absorbed many of the minor local cults into public festivals held at Athens.

In *Class. Rev.* v 222 b, Mr W. R. Paton observes that the νεοπολῖται could not be received into the γένη, all the members of which were allied (or supposed to be allied) by blood; but he considers that they could be received into the phratries, each of which was a group of γένη not claiming a blood-relationship with each other and therefore more elastic. He assumes that Cleisthenes did not increase the number of phratries; whereas it is not improbable that he did, and there is nothing in the present passage to prove that he did not.

ταῖς δὲ φυλαῖς—δέκα] In Etym. M., s. v. ἐπώνυμοι, after mention of the ἐπώνυμοι τῶν ἡλικιῶν (c. 53), we have, contrasted with these, οἱ δέκα ἀφ' ὧν αἱ φυλαὶ προσηγορεύθησαν, ὡς Ἐρεχθίδας, Ἀλγεύς, Πανδίων, Λεῶς, Ἀκάμας, Οἰνεύς, Κέκροψ, Ἴκποθων, Ἀλας, Ἀντίοχος· ταῦτα δὲ τὰ δέκα ὀνόματα ἀπὸ ρ' (=ἐκατὸν, codices ἀπὸ βρῆς) ὁ Πύθιος εἰλετο, Κλεισθένους οὕτω διαταξαμένου τὸ πᾶν πλήθος εἰς δέκα φυλάς. Cf. *Lex. Dem. Patm.*, p. 15, Sakkellion (*Bull. de corr. hellén.* 1877), ... τοῦ θεοῦ τοῦτο χρῆσαντος... τοῦτοι γὰρ ἐξ ὀνομάτων ἐκατὸν ὁ θεὸς ἐξελέξατο, and Schol. Aristid. iii 331, 20 Dind. This is one of several instances in which the influence

22. τούτων δὲ γενομένων δημοτικωτέρα πολ[ύ] τῆς Σ]όλωνος ἐγένετο ἡ πολιτεία· καὶ γὰρ συνέβη τοὺς μὲν Σόλωνος νόμους ἀφανίσαι τὴν τυραννίδα διὰ τὸ μὴ χρῆσθαι, καινοὺς δ' ἄλλους θείναι τὸν Κλεισθένην στοχαζόμενον τοῦ πλήθους, ἐν οἷς ἐτέθη καὶ 5 ὁ περὶ τοῦ ὀστρακισμοῦ νόμος. πρῶτον μὲν οὖν ἔτει †πέμπτῳ† 2 μετὰ ταύτην τὴν κατάστασιν ἐφ' Ἑρμοκρέοντος ἄρχοντος τῇ βουλῇ τοῖς πεντακοσίοις τὸν ὄρκον ἐποίησαν, ὃν ἔτι καὶ νῦν ὀμνύ-

XXII 3 κ(ΔΙ)ΝΟΥΣ? (καί...Berol.), K-W, K³, B: [νόμ]ους H-L. 4 ΚΛΕΙΣΘΕΝΗ (K, K-W, H-L, B). 5 †πέμπτῳ†, an ὀγδῶ? K. 6 ΕΡΜΟΥ|ΚΡΕΟΝΤΟΣ (K).

TESTIMONIA. XXII 5—39 Heraclidis epitoma (Rose, Frag. 611, 4³): καὶ τὸν περὶ ὀστρακισμοῦ νόμον εισηγήσατο, δις ἐτέθη διὰ τοὺς τυραννιώντας. καὶ ἄλλοι τε ὀστρακίσθησαν καὶ Ξάνθιππος καὶ Ἀριστείδης.

of the Alcmaeonidae with the oracle at Delphi was of important consequences to Athens.

ἀρχηγῶν] The ἐπώνυμοι are themselves called ἀρχηγῆται in Aristoph. Frag. 186 Dind. (παρὰ τοὺς ἀρχηγέτας), ap. Bekk. Anecd. i 449: ἀρχηγῆται· ἡγεμόνες οἱ ἐπώνυμοι τῶν φυλῶν.

XXII. Ostracism.

§ 1. στοχαζόμενον τοῦ πλήθους] Pol. vi (iv) 12, ἀν...ὀλιγαρχικοὺς τοὺς νόμους τιθῆ στοχάζεσθαι χρὴ τὴν μέσων.

ὀστρακισμοῦ] Our knowledge of the procedure in cases of ostracism is founded on a fragment of Philochorus 79 δ (FHG i 396), in the Appendix to Photius, p. 675 Porson: προχειροτονεῖ μὲν ὁ δῆμος πρὸ τῆς ἡ πυρτανείας (see c. 43 § 5), εἰ δοκεῖ τὸ δοτακον εἰσφέρειν· οὐτε δὲ δοκεῖ, ἐφράσαστο σανίσιν ἡ ἀγορὰ καὶ κατελείποντο εἰσοδοὶ δέκα, δι' ὧν εἰσόντες κατὰ φυλὰς ἐτίθεσαν τὰ δοτακα, στρέφοντες τὴν ἐπιγραφὴν. ἐπεστάντων δὲ οἱ τε ἐννέα ἀρχαυτες καὶ ἡ βουλὴ· διαριθμηθέντων δὲ οὗτω πλείστα γένοιντο καὶ μὴ ἐλάττω ἑξακισχιλίων, τοῦτον ἔδει τὰ δίκαια δόντα καὶ λαβόντα ὑπὲρ τῶν ἰδίων συναλλαγμάτων ἐν δέκα ἡμέραις μεταστήναι τῆς πόλεως ἐτη δέκα (ὀστερον δὲ ἐγένοντο πέντε) καρπούμενον τὰ εἰδοτοῦ μὴ ἐπιβαίνοντα ἐντὸς Γεραιοτοῦ (Dobree's correction of πέρα τοῦ) Εὐβόλας ἀκρωτηρίων· μόνος δὲ Ὑπέρβολος ἐκ τῶν ἀδόξων δοκεῖ ἐξοστρακισθῆναι διὰ μοχθηρίαν τρόπον, οὐ δὲ ὑποψίαν τυραννίδος· μετὰ τοῦτον δὲ κατελύθη τὸ ἔθος, ἀρξάμενος νομοθετήσαντος Κλεισθένης, οὐτε τοὺς τυράννους κατέλυσε, οὕτως συνεβάλθη καὶ τοὺς φίλους αὐτῶν. According to Ephorus and Theopompus the object of ostracism was to check ὑπεροχὴ (cf. Diod. xi 55, Nepos, Them. 8, Cimon 3; Plut. Arist. 7, Them. 22, Nic. 11, Alcib. 13). This opinion is shared by Ar. Pol. iii 13, 1284 a 17 and

36, and viii (v) 3, 1302 δ 15. The checking of ὑπεροχὴ may well have been its original purpose, but in process of time it was made the means of preventing mischief arising from στάσεις by suppressing the leader of the opposition and leaving the majority free to carry out their wishes without hindrance. See Grote, c. 31; Busolt, i 620, and in Müller's Handbuch, iv 1, 121; Lugebil, Das Wesen und die historische Bedeutung des Ostrakismos in Athen, in Fahr. f. cl. Phil. Suppl. Bd. iv, 119—175; Gilbert, Gr. St. i 446—6; Abbott's Hist. of Gr. i 481—3; and Smith, Dict. Ant. s. v.

§ 2. ἔτα πέμπτῳ] The text, as it stands, implies 504/3 B.C., four years after the archonship of Isagoras, 508/7. But the archon of 504/3 is already known, Acceliorides (Dionys. v 37), and not Hermocreon. The year is the 12th before the battle of Marathon 490/489, and must therefore be 501/0, the archon of which year has not hitherto been known. It is just conceivable that the reforms of Cleisthenes may have taken three years to get into complete shape, but nothing is said to this effect in the text, and it seems therefore necessary (as suggested by Mr Kenyon) to alter the 5th year into the 8th (εἰς into ἦ).

τοῖς πεντακοσίοις] So called to distinguish it from the Council of the Areopagus. The addition of these words is not inappropriate here, as the establishment of the Council of 500 was one of the recent reforms.

τὸν ὄρκον] Xen. Mem. i 1 § 18, τὸν βουλευτικὸν ὄρκον ὁμόσας, ἐν ᾧ ἦν κατὰ τοὺς νόμους βουλεύσασθαι. Lys. 31 § 1, ὁμόσας εἰσῆλθον εἰς τὸ βουλευτήριον τὰ βέλτιστα συμβουλεύσασθαι τῇ πόλει, ἐνεστί τε ἐν τῷ ὄρκῳ ἀποφαίνειν εἰ τίς τινα οἶδε

οουσιν' ἔπειτα τοὺς στρατηγούς ἤρουντο κατὰ φυλάς, ἐξ ἐκάστης <τῆς> φυλῆς ἓνα, τῆς δὲ ἀπάσης στρατιᾶς ἡγεμὼν ἦν ὁ πολέμαρχος. 3 ἔτει δὲ μετὰ ταῦτα δωδεκάτῳ νικήσαντες τὴν ἐν Μαραθῶνι μάχην 10 ἐπὶ Φαινίππου ἄρχοντος, διαλιπόντες ἔτη δύο μετὰ τὴν νίκην, θαρροῦντος ἤδη τοῦ δήμου, τότε πρῶτον ἐχρήσαντο τῷ νόμῳ τῷ περὶ τὸν ὄστρακισμόν, ὃς ἐτέθη διὰ τὴν ὑποψίαν τῶν ἐν ταῖς δυνά-

8 ἐκάστης <τῆς> φυλῆς B, [...φυ]λῆς ἐκάστ[ης] Berol.
K-W.

13 τοῦ ὄστρακισμοῦ

12—17 Harp. Ἰππαρχος (locus infra exscriptus).

τῶν λαχόντων ἀνεπιτήδειον ὄντα βουλευεῖν. [Dem.] 59 § 4, ὁμομοκῶς τὰ βέλτιστα βουλευσεῖν τῷ δήμῳ τῶν Ἀθηναίων. In Solon's time the βουλή swore τοὺς Σόλωνος νόμους ἐμπεδώσειν (Plut. Sol. 25).

The oath included a clause, οὐδὲ θήσω Ἀθηναίων οὐδένα, ὃς ἂν ἐγγυητὰς τρεῖς καθιστῇ τὸ αὐτὸ τέλος τελοῦντας, πλὴν ἑᾶν τις ἐπὶ προδοσίᾳ τῆς πόλεως ἢ ἐπὶ καταλύσει τοῦ δήμου συνίων ἄλλῳ, ἢ τέλος τι πριάμενος ἢ ἐγγυησάμενος ἢ ἐκλέγων μὴ καταβάλλῃ (Dem. 24 § 144). Arist. Theop. 943, εἶδοτε τῇ βουλῇ σε δεῖν. Dem. id. 148 refers the ὄρκος βουλευτικὸς to Solon; but it was the Areopagus that had cognisance of high treason assigned to it by Solon (c. 8 § 4), and presumably did not lose it until B.C. 462/1 (c. 25 § 2). The statement that the oath in the times of Cleisthenes was the same as that in the times of the writer seems inconsistent with the account in c. 45, where we are told that the βουλή had meanwhile lost the right of imprisoning, &c. (Wyse).

στρατηγούς ἤρουντο] Grote observes that 'there were now created, for the first time, ten *stratēgi* or generals, one from each tribe... The ten generals, annually changed, are thus (like the ten tribes) a fruit of the Kleisthenean constitution' (c. 31, iii 116). Plut. Aristid. 5, τῶν δέκα καθεστώτων τοῖς Ἀθηναίοις ἐπὶ τὸν πόλεμον στρατηγῶν. Theop. 6 § 1, τῶν Ἀθηναίων βουλευομένων περὶ στρατηγού, where mention is made of χειροτονία (Busolt, i 616, n. 3). Unless we are prepared to accept the 'Draconian constitution' of c. 4, there is no reason for departing from the ordinary view that the institution of the στρατηγοὶ dates from the time of Cleisthenes.

τῆς ἀπάσης στρατιᾶς ἡγεμὼν—πολέμαρχος] 'Even after the *stratēgi* had been created, under the Kleisthenean constitution, the polemarch still retained a joint right of command along with them—as we are told at the battle of Marathon,

where Kallimachus the polemarch not only enjoyed an equal vote in the council of war along with the ten *stratēgi*, but even occupied the post of honour on the right wing' (Hdt. vi 109—111; Grote, l. c.). In still closer accordance with the fresh evidence of the text, Busolt, i 616, observes: *der Polemarchos zog nach wie vor an der Spitze des Heeres aus der Stadt*.

§ 3. διαλιπόντες ἔτη δύο] i.e. in B.C. 488/7. Pol. 1209 a 37, τοὺς μὲν διαλείπειν πολλὸν χρόνον, Hist. Anim. 523 a 8, δ. ἐν ἔτος.

θαρροῦντος—τοῦ δήμου. The connexion here and elsewhere established (cc. 24, 27) 'between moments of elation and self-confidence at Athens and constitutional changes for the worse' may be compared with Isocr. Areop. § 3 sqq. and Panath. § 133 (W. L. Newman, Class. Rev. v 161 a).

περὶ τὸν ὄστρ.] c. gen. in § 1. 'Ad significandam eam rem, de qua agitur ac disputatur, περὶ etiam c. acc. ita usurpatur ut ab usu praepr. περὶ c. gen. non videatur discerni posse, veluti... Pol. 1300 a 8, 9; 1322 b 30, 31, 1286 b 34 et 1287 a 1; Rhet. 1414 a 28, 1418 a 2' Ind. Ar.

ἐτέθη διὰ τὴν ὑποψίαν—Ἰππαρχος Χάρμου] Archon in 496/5. Harpocr. s. v. Ἰππαρχος... ἄλλος δὲ ἐστὶν Ἰππαρχος ὁ Χάρμου, ὡς φησὶ Λυκούργος ἐν τῷ κατὰ Λεωκράτους (§ 117, Ἰππαρχον τὸν Τιμάρχου, who, in his absence, was condemned to death for προδοσία; nothing else is known of him and it is not impossible that Τιμάρχου in Lycurgus may be a mistake for Χάρμου): περὶ δὲ τούτου Ἀνδρότιων ἐν τῇ β' (frag. 5) φησὶν διὰ συγγενῆς μὲν ἦν Πεισιστράτου τοῦ τυράννου καὶ πρῶτος ἐξωστρακίσθη τοῦ περὶ τὸν ὄστρακισμόν νόμου τότε πρῶτον τεθέντος διὰ τὴν ὑποψίαν τῶν περὶ Πεισιστράτον, διὰ δημαγωγὸς ὢν καὶ στρατηγὸς ἐτυράννησεν.

It will be observed that language almost identical with the text is quoted

μεσιν, ὅτι Πεισίστρατος δημαγωγὸς καὶ στρατηγὸς ὦν τύραννος
 15 κατέστη· καὶ πρῶτος ὠστρακίσθη τῶν ἐκείνου συγγενῶν Ἱππαρχὸς 4
 Χάρμου Κολλυτεύς, δι' ὃν καὶ μάλιστα τὸν νόμον ἔθηκεν ὁ Κλει-
 σθένης, ἐξελάσαι βουλόμενος αὐτόν. οἱ γὰρ Ἀθηναῖοι τοὺς τῶν
 τυράννων φίλους, ὅσοι μὴ συνεξημάρτανον ἐν ταῖς ταραχαῖς, εἶων
 οἰκεῖν τὴν πόλιν, χρώμενοι τῇ εἰωθυῖα τοῦ δήμου πραότητι· ὦν
 20 ἡγεμῶν καὶ προστάτης ἦν Ἱππαρχος. εὐθὺς δὲ τῷ ὑστέρῳ ἔτει 5
 ἐπὶ Τελεσίνου ἀρχοντος ἐκνέμευσαν τοὺς ἐννέα ἀρχοντας κατὰ

14 ΟΤΕ: ὅτι (K, H-L, B); ὁ γὰρ K-W.
 ΔΑΜΑΡΤΑΝΟΝ: συνεξημάρτανον K, K-W¹, B; συνεξαμαρτάνοιεν Poste (H-L, et omisso ἐν
 K-W²). 19 ΠΡΑΟΤΗΤΙ (K); cf. 16, 5 et 35. 20 ΥΣΤΕΡΩΙ: ὕστερον K-W, B;
 cf. 34 § 2.

16 ΚΟΛΥΤΤΕΥΣ.

18 CΥΝΕΞ-

by Harpocration from the Ἀρθίς of Androtrion. The historian of that name is almost certainly identical with the orator attacked in Dem. κατὰ Ἀνδρο-
 τίωνος, in 355 B.C. He had then been a prominent politician for 30 years (Dem. l. c. § 66). The authorities in favour of this identification are Westermann, and Arnold Schaefer; against it are Ruhnken, Dindorf and C. Müller (FHG, i p. lxxiii) and recently M. Weil, *Journal des Savants*, 1891, p. 203. All the extant quotations from the Ἀρθίς (except the present) 'just cover the period of Androtrion's political career, and a few more years which he may have passed in exile: the latest event noticed is the διανῆψις .. in B.C. 346-5.' He probably left Athens soon after B.C. 355, retired to Megara, and there wrote his Ἀρθίς in the enforced leisure of banishment, Plut. *de exil.* 14, p. 605 C, (συνέγραψε) Ἀνδροτρίων Ἀθηναῖος ἐν Μεγάρῳ (Wayte, Dem. *Androt.* p. xlix, l). If the present work was written about 325 B.C., the passage in the text may well have been borrowed from Androtrion, who was probably no longer alive at the time. If he began public life at 30, he must have been born in B.C. 415 (355+30+30) and, if alive, would have been 90 at the date assumed for the present work.

δημαγωγός] Pol. 1305 a 7, ἐπὶ δὲ τῶν ἀρχαίων, ὅτε γένοιτο ὁ αὐτὸς δημαγωγός καὶ στρατηγός, εἰς τυραννίδα μετέβαλλον· σχεδὸν γὰρ οἱ πλείστοι τῶν ἀρχαίων τυράννων ἐκ δημαγωγῶν γενόμενοι, and (on Peisistratus in particular) *ib.* 1310 b 27; Isocr. *Panath.* 148; Dio Chrys. i 303, 13 D.

§ 4. πρῶτος ὠστρακίσθη κτλ.] Plut. *Nic.* 11, πρῶτος δ' (ἐξωστρακίσθη) Ἱππαρχος ὁ Χολαργεὺς (probably a mistake for

Κολλυτεύς, or for Χάρμου) συγγενὴς τις ὦν τοῦ τυράννου. According to Cleitodemus, ap. Athen. 609 C, Hippias had married a daughter of Charmus.

τῇ εἰωθυῖα τοῦ δήμου πραότητι] Dem. *Timocr.* 51, ὁ τὸν νόμον τοῦτον...θεῖς ἦδει τὴν φιλανθρωπίαν καὶ πραότητα τὴν ὑμετέραν. It may be doubted whether any such praise as that of πραότητι is ever ascribed to the δήμος in the extant works of Ar.

§ 5. τῷ ὑστέρῳ ἔτει] In 34 § 2 we have τῷ ὕστερον ἔτει. In 42 § 4 τὸν ὕστερον (ἐνιαυτὸν) is contrasted with τὸν πρῶτον and the former is found in 45 § 3.

ἐπὶ Τελεσίνου ἀρχοντος] The last date mentioned having been 488 B.C. (i.e. 'two years after Marathon'), the archonship of T. may be placed in 487/6. The only years after B.C. 496 (down to 292) for which the archons are not already known are 487 and 486. 482 may be assigned to Themistocles, and 481 to Hysichides (c. 22 end).

ἐκνέμευσαν τοὺς ἐννέα ἀρχοντας κτλ.] Under the Solonian constitution (c. 8) the archons had been appointed by lot out of forty candidates nominated by the four tribes. From the close of the τυραννίς the archons had been elected (οἱ δὲ πρότεροι πάντες ἦσαν αἰρετοί), by whom we do not know, possibly (as Mr Kenyon suggests) by the ἐκκλησία. The general principle of the Solonian system was now revived by introducing a combination of selection and sortition.

The successive changes in the method of election to this office (as summed up by Mr Kenyon) were as follows: (1) the archons were originally nominated by the Council of the Areopagus, c. 8 § 2; (2) under the 'Draconian constitution' they were elected by the general body of

φυλάς, ἐκ τῶν προκριθέντων ὑπὸ τῶν δημοτῶν πεντακοσίων, τότε μετὰ τὴν τυραννίδα πρῶτον, (οἱ δὲ πρότεροι πάντες ἦσαν αἵρετοί).
6 καὶ ὡστρακίσθη Μεγακλῆς Ἴπποκράτους Ἀλωπεκῆθεν. ἐπὶ μὲν 24

22 τῶν δημοτῶν πεντακοσίων (K, K-W, B): τοῦ δήμου ἐκ τῶν πεντακοσιομεδίων J W Headlam, τοῦ δήμου πεντακοσιομεδίων H-L. TOIC (πεντακαικεκοστῷ ἐτει Weil): τότε Blass, K-W, H-L, K².

citizens (c. 4 § 2); (3) under the Solonian constitution, they were in ordinary course appointed by lot from forty candidates selected by the four tribes (c. 8 § 1); (4) under the *tyrannis* this system was perhaps practically in abeyance, though nothing had been formally done to repeal appointment by lot (Peisistratus, son of Hippias was archon, Tbac. vi 54, and there was always one of the ruling house holding office); (5) under the constitution of Cleisthenes they were elected by the ecclesia (οἱ δὲ πρότεροι πάντες ἦσαν αἵρετοί); (6) from 487 B.C. they were appointed by lot from 100 (or 500) candidates selected by the tribes; (7) subsequently, from an uncertain date down to the time of the writer, the lot was applied to the preliminary nomination by the tribes as well as to the actual appointment (c. 8 § 1).

As appointment to the archonship by lot was apparently done away with by Cleisthenes in 508, and was re-introduced in 487, it follows that the archons in 490 were not appointed by lot, and that Herodotus was therefore mistaken in describing the polemarch of that year as ὁ τῷ κυάμῳ λαχὼν (vi 109). This had already been maintained by Grote (c. 31, iii 126), Busolt (ii 338) and others, and their opinion is now found to be correct. Cf. Lugebil in *Jahrb. f. class. Philol.*, Suppl. Bd. v 564—699; Holm, *Gr. Gesch.* ii 140, note 18.

Aristides was archon in 489 when the office was still elective, yet Demetrius Phal. makes him archon in 478, and, consistently with this, describes him as κυάμῳ λαχὼν (Plut. *Arist.* 1, 5). On the other hand, Idomeneus (fl. B.C. 310—270), having in view the archonship of 489, as it appears correctly, speaks of him as having held office οὐ κναμεντὸν ἀλλ' ἐλομένῳ Ἀθηναίων. It was Aristides who, shortly after the battle of Plataea, carried a proposal that they should thenceforth choose (αἰρεῖσθαι) the ἀρχῶντες (in the widest sense of the term) from all the Athenians alike. Duncker, *G. d. A.* vi 593, holds that it was on this occasion that appointment by lot was introduced:

before it, we find the office of archon filled by leading statesmen; not so, afterwards. He also holds that the reforms of Cleisthenes did not touch the method of appointing the archons.

There is a difficulty as to the persons by whom the preliminary selection was made. The text, as it stands in the MS, speaks of them as 500 selected by the members of the demes. The practice down to the writer's time was for each tribe to nominate ten by lot, or 100 in all (c. 8). Now if each tribe ever nominated 50, it is improbable that its privilege would be reduced to that of nominating 10. Hence Mr Kenyon proposes to alter 500 (φ') into 100 (ρ').

It seems possible that Demetrius Phal. accepted this date (B.C. 487) for the introduction of the lot: he placed the archonship of Aristides the year after Plataea (Plut. *Arist.* c. 1 and 5) and spoke of ἡ ἐπάνωμος ἀρχὴ ἣν ἤρξε τῷ κυάμῳ λαχὼν ἐκ τῶν γενῶν τῶν τὰ μέγιστα τιμήματα κεκτημένων οὓς πεντακοσιομεδίων προσηγόρευον (ib. c. 1): the admission of *ἐκπεῖς* then, according to Demetrius, is after 478. We see now that there is not necessarily any conflict between Idomeneus of Lampsacus and Demetrius, except as to the year when Aristides was archon. Idomeneus, like Plutarch, may have assigned Aristides to the year after Marathon (ib. c. 5): in which case his statement (ib. c. 1 ἀρξαι γὰρ τὸν Ἀριστέδην οὐ κναμεντὸν ἀλλ' ἐλομένῳ Ἀθηναίων) agrees with the Ἀθ. Πολ. (Wyse).

Μεγακλῆς son of Hippocrates (Hdt. vi 131), grandson of Megacles (the opponent of Peisistratus c. 14 and 15), and nephew of Cleisthenes. Through his sister, Agariste, he was the uncle of Pericles. There was another Megacles in the same generation (victor in the Pythian games, Pind. *Pyth.* vii 15), a son of Cleisthenes, and grandfather of Alcibiades. The ostracism of this second Megacles is mentioned in Lysias, *Alc.* 14 § 39. According to Pindar (*l. c.*) the house of Megacles was subject to φθόνος on account of its *εὐπραγία*.

It is remarkable that an institution

- 25 οὖν ἔτη τρία τοὺς τῶν τυράννων φίλους ὠστράκιζον, ὧν χάριν ὁ νόμος ἐτέθη, μετὰ δὲ ταῦτα τῷ τετάρτῳ ἔτει καὶ τῶν ἄλλων εἴ τις δοκοίη μείζων εἶναι μεθίστατο· καὶ πρῶτος ὠστρακίσθη τῶν ἄπωθεν τῆς τυραννίδος Ξάνθιππος ὁ Ἀρίφρωνος. ἔτει δὲ τρίτῳ 7

N

27 ΜΕΘΙΣΤΑΤΟ: μεθίστατο B, -ισταντο ceteri.

founded by Cleisthenes should have thus been brought into play against his son and his nephew. According to Aelian, *Var. Hist.* xiii 24, Cleisthenes himself was ostracised, but of this there is no proof. As to the ostracism of the nephew there is no doubt. Even one of the pieces of pottery used in voting on the question has been found. It bears the name of Μεγακλῆς [Ἰπποκράτους Ἀλωπεκῆθεν (published in Benndorf's *Gr. u. Sic. Vasenbilder* p. 50, pl. 29, no. 10). It is a fragment of black-glazed ware, apparently cut into a circular form for the purpose. It was discovered in the pre-Persian stratum to the E. of the Parthenon (*Class. Rev.* v 278 a). CIA iv 3 no. 569.

§ 6. ἔτη τρία] Mr Kenyon holds that the three years are B.C. 489—87, i.e. the two after the battle of Marathon and the year in which Hipparchus son of Charmus was ostracised; but, unless we press the meaning of the imperfect ὠστράκιζον, and apply it to the purpose and desire of the people, rather than to their acts, it seems better to consider the period of three years to begin with that in which Hipparchus was banished, i.e. 488/7. Thus the three years would be B.C. 488/7, 487/6 and 486/5. Then the ostracism of Xanthippus, τῷ τετάρτῳ ἔτει, would be in 485/4 and 'the third year after this,' 483/2, the archonship of Nicodemus, which is in accordance with the chronology adopted in Clinton's *Fasti*. ἐν τοῖς τοῖς καιροῖς (i.e. not necessarily under Nicodemus, but in the previous year 484/3) Aristides was banished; and, in the 'fourth year after,' he was recalled, 481/0 (Bauer, p. 59).

τῷ τετάρτῳ ἔτει] 485/4.
εἴ τις δοκοίη μείζων εἶναι] *Pol.* 1302 b 15, στάσις arises όταν τις ἢ τῇ δυνάμει μείζων, and the correction of this (says Ar.) was the object of ostracism.

ἄπωθεν τῆς τυραννίδος] *Pol.* ii 3, 1262 a 29, ὧν οὐδὲν δαῖον ἐστὶ γίνεσθαι πρὸς πατέρας καὶ μητέρας καὶ τοὺς μὴ πόρρω τῆς συγγενείας ὄντας, ὥσπερ πρὸς τοὺς ἄπωθεν (distant in relationship), iii 9, 1280 b 9, γίνεται γὰρ ἡ κοινωνία συμμαχία τῶν

ἄλλων τότῃ διαφέροντα μόνον τῶν ἄπωθεν συμμαχιῶν (alliances, of which the members live apart), *ib.* 18, εἰ τινας οἰκοῖεν χωρὶς μὲν, μὴ μέντοι τοσούτων ἄπωθεν (so far off) ὥστε μὴ κοινωνεῖν. 'οἱ ἄπωθεν, syn. οἱ ἀγνώστες, opp. οἱ γνώριμοι, οἱ συνήθεις, οἱ συγγενεῖς.' *Rhet.* i 11, 1371 a 12 οἱ συνήθεις καὶ οἱ πολῖται (μᾶλλον) τῶν ἄπωθεν: c. gen. in *Thuc.* iii 111 § 1, ἄποθεν τῆς Ὀλπης, *Aristoph. Plut.* 674 ἄπωθεν τῆς κεφαλῆς.

Ξάνθιππος ὁ Ἀρίφρωνος] During the excavations on the Acropolis in 1886, a fragment of a late black-figured vase was found in the pre-Persian stratum E. of the Parthenon, with the following inscription clearly incised upon it.

ΞΑΝΘΙΠΠΟΣ
ΑΡΙΦΡΩΝΟΣ

The fragment was published by Studniczka, *Arch. Jahrb.* 1887, p. 161, who observed that the position in which it was found proved that the ostracism of Xanthippus took place before B.C. 480 (*Class. Rev.* v 277 b). CIA iv 3, 568. In March, 1891, after the first publication of this treatise, another fragment was found at Athens in the ὁδοῦ Πειραιῶς with the first five or six letters of the father's name written (with the double ρ) above that of the son (CIA iv 3, 571).

Xanthippus impeached Miltiades in 490/89 (*Hdt.* vi 136; Grote, c. 36, iii 312). The present passage shews that his ostracism falls in 485/4, before that of Aristides (484/3). Of its causes we know nothing; but it is natural to suppose that the friends of Miltiades had something to do with it. In 480 Xanthippus left Athens with the other inhabitants at the approach of Xerxes: *Plutarch, Them.* 10, tells the story of his dog, which could not endure to be left behind on this occasion. Xanthippus was the archon of 479 (*Diod.* xi 27). He commanded the Athenians at Mycale (479, *Hdt.* ix 114) and at the siege of Sestos (ix 121). By Agariste, daughter of Hippocrates, and sister of the Megacles mentioned above, he became the father

μετὰ ταῦτα Νικοδήμου ἄρχοντας, ὡς ἐφάνη τὰ μέταλλα τὰ ἐν 19

29 ΝΙΚΟΜΗΔΟΥΣ (K-W, H-L, B): Ν(ΙΚΟ)ΔΗΜΟ(Υ) Berol. et Dion. Hal. viii 83 (K). ΕΦΑΝΗ: ἀν ἀπεγράφῃ? Wyse (*Class. Rev.* v 112); <λυσιτελεστέρα> ἐφάνη Richards (*ib.* 226).

of Pericles (Hdt. vi 131) and Ariphron (Plut. *Alc.* 1, Plat. *Protag.* 320). The elder of the two legitimate sons of Pericles was named after his grandfather, Xanthippus (Plut. *Per.* 24, 36).

§ 7. *ἔτα... πρίν* after 486, would bring us to 484/3 for the archonship of Nicodemus. It was ἐν τοῖς τοῖς καιροῖς that Aristides was ostracised, and in 481/0 all the citizens who had been ostracised were recalled διὰ τὴν Ζέρξου στρατείας (§ 8). But Nicodemus, according to Dionysius Hal. viii 83, p. 1711 Reiske, was archon in the consulship of L. Aemilius Mamercus and K. Fabius, 270 A.U.C. (Cato). In Baiter's *Fasti Consulares* this is identified as A.U.C. 269 = B.C. 484. This would support Mr Kenyon's view. See, however, note on § 6, *εἰη τρία*.

Νικομήδους is the reading in the papyrus; Ν(ΙΚΟ)ΔΗΜΟ(Υ) that of the Berlin fragment, and similarly in Dionysius. Mr Kenyon, perhaps rightly, holds that, in this conflict between the two MSS, 'the authority of Dionysius may turn the scale.'

The name Νικομήδης ('victor in counsel') is formed from νικῶμαι on the analogy of 'Ἀγαμήδης, 'Ἀλιμήδης, 'Ἀμφιμήδης, 'Ἀνδρομήδης, 'Ἀριστομήδης, 'Ἀστυμήδης, 'Αὐτομήδης, 'Διομήδης, 'Εὐμήδης, 'Εὐρυμήδης, 'Θεομήδης, 'Θρασυμήδης, 'Καλλιμήδης, 'Κλει(=Κλεο)μήδης, 'Κλυτομήδης, 'Λαομήδης, 'Λυκομήδης, 'Νεομήδης, 'Ξενομήδης, 'Ονασι(=Ονασι-μήδης, 'Παλαμήδης, 'Περιμήδης and 'Πολυμήδης (Pape-Benseler, *Eigen-namen*, p. xxx). It cannot be interpreted as 'conqueror of the Medes,' which would be Μηδόκιμος. Similarly, the alternative name Νικόδημος means 'with victorious army or people' *ib.* s. v.

ὡς ἐφάνη τὰ μέταλλα κτλ.] Hdt. vii 144, 'Ἀθηναῖοις γενομένων χρημάτων μεγάλων ἐν τῷ κοινῷ, τὰ ἐκ τῶν μετάλλων σφι προσήλθε τῶν ἀπὸ Λαυρείου, ἐμελλον λάζεσθαι ὀρχήδων ἑκαστος δέκα δραχμάς. τότε Θεμιστοκλῆς ἀνέγνωσε Ἀθηναίους τῆς διαιρέσεως ταύτης παυσάμενους νέας τοῦτων τῶν χρημάτων ποιήσασθαι ἐς τὸν πόλεμον, τὸν πρὸς Αἰγυπτήτας λέγων. (Plut. *Them.* 4, τὴν Λαυρεωτικὴν πρόσοδον ἀπὸ τῶν ἀργυρείων μετάλλων ἔθως ἐχόντων Ἀθηναίων διανεμῆσθαι κτλ.) This account, esp. the word παυσάμενους, implies that the revenue for the mines had *hitherto* been distributed among the people (to the extent of 10 drachmas a head).

ἐφάνη can only mean 'were discovered,' which may possibly be supported by εὐρέθη in Bekker's *Anecdota*, p. 279, *Μαρώνεια*: τόπος ἦν τῆς Ἀττικῆς, οὗ τὰ μέταλλα εὐρέθη. The mention of the revenue of 100 talents from the works comes somewhat suddenly after the first announcement of the discovery of the mines, and possibly some other word was really written by the author. The author of the tract *περὶ πόρων* implies that they were of immemorial antiquity, but there are indications that they had only recently come into prominence. Aeschylus in the *Persae*, 238, the dramatic date of which is 480 B.C., makes the chorus answer an enquiry of the wife of Darius as to the wealth of Athens by the reply ἀργύρου πηγὴ τις αὐτοῖς ἐστὶ, θησαυρὸς χθονός. 'At what time they first began to be worked,' says Grote (c. 39, iii 406), 'we have no information; but it seems hardly possible that they could have been worked with any spirit or profitable result, until after the expulsion of Hippias and the establishment of the democratic constitution of Kleisthenes.' It is quite conceivable that a very recent discovery of a very productive mine at one particular place, Maroneia, may have given a new importance to the question of the best disposal of the revenue.—It has even been suggested that the mines had originally belonged to Aegina and had been wrested from her by Athens (Mahaffy, *Rambles and Studies in Greece*, p. 163); but neither the text nor the parallel passages in Hdt. and Plut. lend any support to this. The Athenians had to rely on the revenue from the mines to make way against the Aeginetans.

τὰ ἐν Μαρώνεια] 'The mining district, besides the *demi* Anaphlystus, Besa, Amphitrope, and Thoricus, contained several places which were not *demi*, as Laureium, Thrasyllum [*ἐπὶ* Θρασύλλῳ, Dem. 37 § 25, Aeschin. 1 § 101], Maroneia, Aulon [Aeschin. 1. c.]' (Leake's *Demi*, p. 274). Laurium may have been the general term for the district, derived from its numerous shafts and tunnels, λαύραι, lit. 'narrow passages'. Maroneia may perhaps be identified with some ruins five miles N. of Sunium. In Dem. *Pant.* 37 § 4, Nicobulus and his partner Euergus

30 Μαρωνεία καὶ περιεγέμετο τῇ πόλει τάλαντα ἑκατὸν ἐκ τῶν ἔργων, συμβουλευόντων τινῶν τῷ δήμῳ διανεῖμασθαι τὸ ἀργύριον, Θεμισ-

30—31 [περιεγέμετο] | ἐκ τῶν ἔργων] (vel π. τοῖς | κεκτημένοις) | ἑκατ(ὸν) τάλαντα, συμβουλευόντων τινῶν] τῇ πόλει διανεῖμασθαι τὸ ἀρ[γύριον Berol.

30 Bekk. An. p. 179 Μαρώνεια: τόπος ἦν τῆς Ἀττικῆς, ὅπου τὰ μέταλλα εὗρεθῃ. Harp. s. v.: (Dem. *Panl.* § 4), τόπος ἐστὶ τῆς Ἀττικῆς.

allege that they lent to Pantaenetus 105 minae, ἐπ' ἐργαστηρίῳ τε ἐν ταῖς ἔργοις ἐν Μαρωνείᾳ καὶ τριάκοντα ἀνδραπόδοις. On the silver mines of Laurium, see Boeckh's *Dissertation*, pp. 615—678, printed as Appendix to Boeckh's *Public Economy*, trans. Lewis; K. F. Hermann, *Privatalf.* § 14, 17; Büchschütz, *Besitz und Erwerb*, pp. 98—103; *Select Private Orations of Dem.* ed. 2, ii p. 89.

τάλαντα ἑκατὸν κτλ.] Polyaeus, i 30 § 6 (5), Θεμιστοκλῆς ἐν τῷ πρὸς Διγνήτας πολέμῳ μελλόντων Ἀθηναίων τὴν ἐκ τῶν ἀργυρίων πρόσδοσιν, ἑκατὸν τάλαντα, διανεῖμασθαι, κωλύσας ἔπεισεν ἑκατὸν ἀνδράσι τοῖς πλουσιωτάτοις ἑκάστῳ δοῦναι τάλαντον· κὰν μὲν ἀρέσῃ τὸ πραχθῆσόμενον, τῇ πόλει τὸ ἀνάλωμα λογισθῆναι, ἐὰν δὲ μὴ ἀρέσῃ, τοὺς λαβόντας ἀποδοῦναι. ταῦτα μὲν ἔδοξεν. οἱ δὲ ἑκατὸν ἄνδρες ἕκαστος μίαν τριῆρη κατέστησαν, σπουδῇ χρησάμενοι κάλλους καὶ τάχους. Ἀθηναῖοι καινὸν στόλον ποικίσαντες ἦρθσαν, καὶ οὐ μόνον κατὰ Διγνήτων ταῖς τριῆρεσι ταῦται, ἀλλὰ καὶ κατὰ Περσῶν ἐχρήσαντο.

In Hdt. vii 144 the amount available for distribution is stated as 10 drachmas a head. Elsewhere (in v 97) Hdt. reckons the citizens at 30,000. This gives us 50 talents for distribution. He also speaks of 200 ships. But 50 talents is far too small a sum for a fleet, even if only 100 ships were built at the cost of only one talent each. It has accordingly been suggested that Hdt. founded his calculation on the diminished returns of the mines at a later date, about 430 B.C. (Stein *ad loc.*). Boeckh considers that the population was probably 10,000 at the time meant by the historian. The amount to be distributed, at 10 dr. a head, would in that case be 200,000 dr. = 33½ talents.

It was Boeckh's opinion that all the public money arising from the mines was (annually) divided among the members of the community (*Dissertation*, § 8, p. 652 Lewis ed. 2). Grote himself held that the sum for distribution only formed 'part of a larger sum lying in the treasury, arising from the mines. Themistokles persuaded the people to employ the whole sum in

ship-building, which of course implied that the distribution was to be renounced. Whether there had been distributions of a similar kind in former years...is a matter on which we have no evidence' (c. 39, iii 407 n.). The evidence of the text supports Grote's view. The date of the building of the fleet is discussed by Busolt, ii 123 f., but the text was then represented by the Berlin fragment only.

Θεμιστοκλῆς was evidently not in the position of archon *eronymus* in the year of the proposal to distribute the revenue from the silver mines. The archon of that year was Nicodemus (483/2). He was in office, however, at the time when he proposed the fortification of the Peiraeus, Thuc. i 93 § 2, ὑπῆρκετο δ' αὐτοῦ πρότερον ἐπὶ τῆς ἐκεῖνου ἀρχῆς ἢ κατ' ἐνιαυτὸν Ἀθηναῖοι ἤρξαν, and he may have been archon eponymus at that time. The archon for 481/0 is Hysichides (*infra* § 8). We may therefore place the archonship of Themistocles in 482/1.

Dionysius Hal., *Ant. Rom.* vi 34, p. 1117 R, makes Themistocles archon in 493 B.C., but (as Mr Kenyon shews) this is very improbable.

The chronology suggested by Bauer is as follows: according to Plutarch (*Them.* 31 and *Cim.* 18) Themistocles died at the age of 65 at the time of Cimon's expedition against Cyprus (448/7). This would give us 513 for his birth. He would be 30 in 483/2, and this was the year in which he brought about the formation of a fleet. His archonship should probably be placed in 482/1, a year that is not yet filled by any name. This is supported by the scholiast on Thuc. πρὸ δὲ τῶν Μηδικῶν ἤρξαν Θ. ἐνιαυτὸν ἑνα. Hdt. vii 143 describes him as ἀνὴρ ἐς πρῶτους νεωστὶ παρών, which is unfavourable to placing his archonship as far back as 493: νεωστὶ is more likely to denote an interval of two, than of 13 years. The Themistocles of 493 (Dionysius) would in this case be another of the same name. But there is more probability in Mr Kenyon's second alternative, that Dionysius has simply made a mistake.

In 480/79 he was στρατηγός of the

στοκλῆς ἐκάλυσεν, οὐ λέγων ὅ τι χρήσεται τοῖς χρήμασιν ἀλλὰ δανείσαι κελεύων τοῖς πλουσιωτάτοις Ἀθηναίων ἑκατὸν ἑκάστω τάλαντον, εἴτ' ἂν μὲν ἀρέσκη τὸ ἀνάλωμα, τῆς πόλεως εἶναι τὴν δαπάνην, εἰ δὲ μή, κομίσασθαι τὰ χρήματα παρὰ τῶν δανεισα- 35 μένων. λαβὼν δ' ἐπὶ τούτοις ἐνα[υ]πηγήσατο τριήρεις ἑκατὸν, ἑκάστου ναυπηγουμένου τῶν ἑκατὸν μίαν, αἷς ἐναυμάχησαν ἐν Σαλαμῖνι πρὸς τοὺς βαρβάρους. ὠστρακίσθη δ' ἐν τούτοις τοῖς 8 καιροῖς Ἀριστείδης ὁ Λυσιμάχου. τετάρτῳ δ' ἔπει κατεδέξαντο πάντας τοὺς ὠστρακισμένους, ἄρχοντας Ἰψιχίδου, διὰ τὴν Ξέρ- 40 ζου στρατείαν· καὶ τὸ λοιπὸν ὥρισαν τοῖς ὠστρακιστέοις ἐκτός

34—35 ἂν μὲν ἀρέσκη, τὸ ἀνάλωμα τῆς πόλεως εἶναι, deletis τὴν δαπάνην, H-L, B, coll. Polyae. i 30 καὶ μὲν ἀρέσκη τὸ πραχθὲν ὁμῶς, τῇ πόλει τὸ ἀνάλωμα λογισθῆναι. 39 τετάρτῳ: τρίτῳ corr. e Plut. Ar. 8' K-W³ (B). 40 ὕψιχιδου ante corr. (H-L): Ἰψιχίδου (K, K-W, B). 41 ΣΤΡΑΤΙΑΝ: στρατείαν (K-W, H-L, K²). In titulis (velut etiam in codicibus) et στρατεία et στρατιά expeditionem significat (στρατεύεσθαι—τὰς στρατείας, B.C. 325;—τὰς στρατιάς B.C. 330) Meisterhans, p. 43². ΕΝΤΟΣ K, K-W, H-L: ἐκτός Wyse (B), quod egregie confirmat Philochorus in Lex. Rhet. Cantab. ὠστρακισμοῦ τρόποι: μὴ ἐπιβαλόντα ἐν τῷ Γεραιστον.

Athenian troops that marched to Tempe (Hdt. vii 173).

ὅ τι χρήσεται] Plat. *Crit.* 45 C, οὐκ ἔχω ὅ τι χρήσεται τῷ ἀργυρίῳ.

ἐν τούτοις τοῖς καιροῖς] Jerome has, under Ol. 74, 1 (= 484/3), *Aristides cum ignominia eicitur*. On the ostracism of Aristides, cf. Plut. *Arist.* 7.

§ 8. τετάρτῳ ἔτει] 481/0. This fixes the date of the archonship of Hypsichides, a name that is now known for the first time. Plut., *Arist.* 8, says that the Athenians recalled Aristides, *Ξέρξου διὰ Θερραλίας καὶ Βοιωτίας ἐλαύνοντος*, i.e. in the spring of 480 B.C. He adds that the vote for the recall was passed in the *third* year after the banishment. This note of time may be explained by the fact that, if the vote for ostracising Aristides took place at the 6th (or 8th) *πρυτανεία* (c. 43 § 5), this would fall early in B.C. 483, and the corresponding date in 480 would be the end of the third year after.

κατεδέξαντο] Andoc. i § 107 (of the same incident), *ἐγγύων τοὺς τε φεύγοντας καταδέξασθαι καὶ τοὺς ἀτίμους ἐπιτίμους ποιῆσαι*.

τὸ λοιπὸν] [Dem.] i 6 § 6, Ἀριστείδην μὲν γὰρ φασιν ὑπὸ τῶν προγόνων μετασταθέντα ἐν Αἰγίῳ διατρίβειν ἕως ὃς ὁ δῆμος αὐτὸν κατεδέξατο. Hdt. viii 79, ἐξ Αἰγίῳ ἦν διέβη. Suidas, s. v. Ἀριστείδης, διέτριψεν ἐν Αἰγίῳ φυγὼν. Ξέρξου δὲ ὡς αὐτὸν ἐν τῇ φυγῇ προσβουλεύοντος καὶ τρισχιλοὺς δαρεικοῦς...διδόντος, οὐδὲν ἐπιστρέ-

φασθαι ἐφ' ἑαυτοῦ Περσικοῦ πλοῦτος κτλ. The fact that Aristides remained in Aegina explains the provision that henceforth persons ostracised were to reside *outside* Geraestus and the Scyllaeon promontory. According to Plutarch (*Cim.* 17), Cimon when ostracised appeared at Tanagra (Wyse in *Class. Rev.* v 274 δ).

ἐκτός] Mr Kenyon, retaining *ἐντός*, suggests that the object of the regulation was to keep the ostracised person 'within very narrow boundaries,' so as to obviate the danger of a banished citizen entering into communication with Persia. But, as Aristides had remained within these limits, it is more reasonable to suppose that the line *beyond* which the ostracised person was to withdraw was thenceforward made the subject of special regulation. Banishment had in fact to be defined more strictly. Otherwise the exile might remain within a very short distance of Attica and carry on intrigues against his opponents.

Themistocles, while under ostracism, lived at Argos, Thuc. i 139, *ἐχὼν διαίταν μὲν ἐν Ἀργεῖ* (Plut. *Them.* 23 § 1), *ἐπιφοιτῶν δὲ καὶ ἐς τὴν Ἀλλήν Πειλοπόννησον*, and afterwards went to Corcyra, and Epirus, to Pydna in Macedonia, and thence to Naxos and Ephesus. He clearly kept outside the limits described in the text as emended. Hyperbolus, again, lived in Samos (Thuc. viii 73 § 2). Both these cases exemplify the rule. According

42 Γεραιστοῦ καὶ Σκυλλαίου κατοικεῖν ἢ ἀτίμους εἶναι καθάπαξ.

23. τότε μὲν οὖν μέχρι τούτου προήλθεν ἡ πόλις, ἅμα τῇ δημοκρατίᾳ κατὰ μικρὸν αὐξανόμενη· μετὰ δὲ τὰ Μηδικὰ πάλιν ἰσχυρεν ἡ ἐν Ἀρείῳ πάγῳ βουλὴ καὶ διώκει τὴν πόλιν, οὐδενὶ δόγματι λαβοῦσα τὴν ἡγ[εμο]νίαν, ἀλλὰ διὰ τὸ γενέσθαι τῆς περὶ 5 Σαλαμῖνα ναυμαχίας αἰτία. τῶν γὰρ στρατηγῶν ἐξαπορησάντων τοῖς πράγμασι καὶ κηρυξάντων σφῆξιν ἕκαστον ἑαυτόν, πορίσασα δραχμὰς ἐκάστῳ ὅκτῳ διέδωκε καὶ ἐνεβίβασεν εἰς τὰς ναῦς. διὰ 2 ταύτην δὴ τὴν αἰτίαν παρεχώρουν αὐτῇ τοῦ ἀξιώματος, καὶ ἐπολι-

XXIII 1 TOTΕ: τὸ Poste (H-L).

pp. 219—220. 6 CΩΖΕΙΝ: σφῆξιν (edd.), cf. Meisterhans, p. 142³. 7 inter

ἐκάστῳ et ὅκτῳ lacunam indicat B, coll. Plut. Them. 10, ἐκάστῳ τῶν στρατευομένων. 8 ΑΥΤ(ΗΝ)ΤΩΙΑΣΙΩΜΑΤΙ: αὐτῇ τῷ ἀξιώματι K; αὐτῆς ἀξιώματι Rutherford; αὐτῆς τῷ ἀξιώματι Blass (H-1); αὐτῇ τοῦ ἀξιώματος J E B Mayor, K-W.

TESTIMONIA. XXIII 6—7 *Plut. Them. 10 οὐκ ὄντων δὲ δημοσίων χρημάτων τοῖς Ἀθηναίοις Ἀρ. μὲν φησι τὴν ἐξ Ἀρείου πάγου βουλὴν πορίσασαν ἐκάστην τῶν στρατευομένων ὅκτῳ δραχμὰς αἰτιωτάτην γενέσθαι τοῦ πληρωθῆναι τὰς τριήρεις.

to the Schol. on Aristoph. *Vesp.* 947, one of the differences between those who are banished for life and those who are ostracised is that the former 'have no fixed place of abode, no time of return assigned, but the latter have' (καὶ τόπος ἀπεύδδοτο καὶ χρόνος).

Γεραιστοῦ] The cape at the s.w. extremity of Euboea. (Hdt. viii 7, ix 105, Thuc. iii 3 § 4.) Σκυλλαίου] the cape at the eastern extremity of the territory of Troezen (Thuc. v 53), the most easterly point of the Peloponnesus, and forming (with the opposite promontory of Sunium) the entrance to the Saronic gulf. ἀτίμους—καθάπαξ] The penalty is that of perpetual *atimia*. For *καθάπαξ* in this connexion cf. Dem. *Mid.* §§ 32, 87, *Aristog.* i § 30. The various disabilities in such a case are enumerated by Aeschines, c. *Timarch.* § 18 (see Smith, *Dict. Ant.* i 242 a).

XXIII, XXIV. *The supremacy of the Areopagus. Aristides and Themistocles.*

XXIII § 1. μετὰ τὰ Μηδικὰ—βουλῇ] *Pol.* viii (v) 4, 1304 a 20, ἡ ἐν Ἀρείῳ πάγῳ βουλὴ εὐδοκίμησασα ἐν τοῖς Μηδικοῖς ἔδοξε συντονωτέραν ποιῆσαι τὴν πολιτείαν.

οὐδενὶ δόγματι κτλ.] This is said of the Areopagus to contrast it with the Four hundred (c. 29) and the Thirty (c. 34 end, and Isocr. *Areop.* 67, αἰ...ψηφίσματι παραλαβόντες τὴν πόλιν).

τῆς περὶ Σαλαμῖνα ναυμαχ[ας] *Pol.*

1304 a 22, ὁ ναυτικός ὄχλος γενόμενος αἰτίος τῆς περὶ Σαλαμῖνα νίκης καὶ διὰ ταύτης (ταύτην? Susemihl) τῆς ἡγεμονίας διὰ τὴν κατὰ θάλατταν δύναμιν τὴν δημοκρατίαν ἰσχυροτέραν ἐποίησεν.

ἐξαπορησάντων τοῖς πράγμασι] Isocr. *Paneg.* 147, ἀπορήσας τοῖς παροῦσι πράγμασι. For the general sense of the context, cf. Cic de Off. i 75, et Themistocles quidem nihil dixerit, in quo ipse Areopagum adiunverit, at ille vere a se adiutum Themistoclem; est enim bellum gestum consilio senatus eius qui a Solone erat constitutus.

πορίσασα δραχμὰς] Probably from the sacred treasure on the Acropolis; cf. Philippi, *Areopag.* 293; Oncken, *Staatslehre*, 468.

§ 2. παρεχώρουν αὐτῇ τοῦ ἀξιώματος] The most common construction of *παρεχωρεῖν* is c. *dat. pers. et gen. rei vel loci*. Isocr. 118 D, π. τοῖς ἐχθροῖς τῆς ἡμετέρας. Aeschin. 54, 21. Polyb. iv 5, 1 etc., π. τῷ τῆς πολιτείας, τῆς ἀρχῆς (L and S). Similarly *εἰκειν* τῷ τῆς δόξης (Hdt. ii 80). For *ἀξίωμα*, cf. Thuc. vi 15 § 2, ὡς ἐν ἀξιώματι ὑπὸ τῶν δατῶν, and i 130 § 1.

Mr Kenyon prints *παρεχώρουν αὐτῇ τῷ ἀξιώματι*, 'gave place (or 'precedence') to it in rank' (or 'reputation'). The simple *dat.* may here be equivalent to *ἐν*—The latter is found in *Magn. Mor.* ii 1, 1198 δ 28, ὁ ἐν τούτοις παραχωρῶν ἐπιεικής, but I can find no exact parallel for the dative alone.

ἐπολιτεύθησαν—καλῶς] With the sub-

τεύθησαν Ἀθηναῖοι καλῶς καὶ κατὰ τοὺτους τοὺς καιροὺς. συνέβη
 γὰρ αὐτοῖς περὶ τὸν χρόνον τοῦτον τὰ τε εἰς τὸν πόλεμον ἀσκήσαι¹⁰
 καὶ παρὰ τοῖς Ἑλλήσιν εὐδοκιμῆσαι καὶ τὴν τῆς θαλάττης ἡγεμο-
 3 νίαν λαβεῖν ἀκόντων τῶν Λακεδαιμονίων. ἦσαν δὲ προστάται τοῦ
 δήμου κατὰ τοὺτους τοὺς καιροὺς Ἀριστείδης ὁ Λυσιμάχου καὶ
 Θεμιστοκλῆς ὁ Νεοκλέους, ὁ μὲν τὰ πολεμικὰ δοκῶν, ὁ δὲ τὰ πολι-
 τικὰ δεινὸς εἶναι, καὶ δικαιοσύνη τῶν καθ' ἑαυτὸν διαφέρειν· διὸ¹⁵
 4 καὶ ἐχρῶντο τῷ μὲν στρατηγῷ, τῷ δὲ συμβούλῳ. τὴν μὲν οὖν τῶν
 τευχῶν ἀνοικοδόμησιν κοινῇ διόκησαν, καίπερ διαφερόμενοι πρὸς

9 καὶ (ante κατὰ) secl. K, K-W; retinent H-L (B), coll. 33 § 3. 10 Κ(ΑΤΑ)
 supra scripto περὶ (B). κατὰ τὸν χρόνον τοῦτον secl. K-W. 12 ΑΚΟΝΤΩΝ (K, K-W,
 B): ἐκόντων J B Mayor (*Class. Rev.* v 112 b), Gennadios; εἰκόντων Naber (H-I).
 14 ΠΟΛΕΜΙΑ (K, K-W, H-L): πολεμικά Blass, Richards, Thompson; πολέμα defendit
 K coll. Thuc. i 18 εὐ παρεσκευάσαντο τὰ πολέμα, et iv 80 ἐν τοῖς πολέμοις γεγενῆσθαι
 σφίσιν ἄριστοι. ΑΣΚΩΝ (retinent (K, K-W¹): δοκῶν Richards, Thompson, Kontos
 (H-L, K-W², B); δοκῶν δασκῶν conicit K. 14—15 ΠΟΛΕΜΙΚΑΔΕΙΝΟΣ per errorem,
 corr. K. δεινὸς εἶναι <δοκῶν> K, K-W¹.

sequent context, cf. Isocr. *Areop.* 51 (of the Areopagus), ἧς ἐπιστατούσης οὐ δικῶν οὐδ' ἐγκλημάτων οὐδ' εἰσφορῶν οὐδὲ πέντας οὐδὲ πολέμων ἢ πόλεως ἔγεμεν... παρῆχον γὰρ σφᾶς αὐτοὺς τοῖς μὲν Ἑλλήσι πιστοῦς, τοῖς δὲ βαρβάροις φοβεροῖς· τοὺς μὲν γὰρ σεσωκότες ἦσαν κτλ., and §§ 80, 82. *Panath.* 151, τὰς πράξεις τὰς ἐκ τοῦ καλῶς πολιτεύεσθαι ... 152, παρὰ τοῖς Ἑλλήσιν εὐδοκίμησαν. *De Pace*, 75—77, esp. τῆς πολιτείας τῆς παρὰ πᾶσιν εὐδοκιμούσης.

καὶ κατὰ τοὺτους τοὺς καιροὺς] καὶ is perhaps added because Athens had been well governed when the Areopagus was in power before, cf. § 1, πάλιν ἰσχυσεν (Newman).

τὴν τῆς θαλάττης ἡγεμονίαν κτλ.] Isocr. *Paneg.* 72 (after the Persian wars), οὐ πολλῷ δ' ὕστερον τὴν ἀρχὴν τῆς θαλάττης ἔλαβον, δόντων μὲν τῶν ἄλλων Ἑλλήνων, οὐκ ἀμφισβητούστων δὲ τῶν νῦν ἡμᾶς ἀφαιρεῖσθαι ζητούντων, de *Pace* 30, παρ' ἐκόντων τῶν Ἑλλήνων τὴν ἡγεμονίαν ἐλάβομεν, *Panath.* 67, οἱ σύμμαχοι τὴν ἡγεμονίαν ἡμῖν τὴν κατὰ θάλατταν ἔδωσαν. Thuc. i 96, παραλαβόντες οἱ Ἀθ. τὴν ἡγεμονίαν... ἐκόντων τῶν ἐνυμάχων διὰ τὸ Πανασίου μῦθος. In Xen. *Hell.* vi § 34 a Spartan declares that the Athenians were chosen leaders at sea τῶν Λακεδαιμονίων συμβουλευομένων. None of the above passages shews that the Lacedaemonians were really willing to surrender the supremacy; and in Thuc. i 96 the reference is not to the Lacedaemonians, but to the allies of Athens who smarted under the

overbearing conduct of Pausanias. Hence ἀκόντων should be retained.

§ 3. προστάται τοῦ δήμου] c. 2 § 2, and c. 28. Holm, *Gr. Gesch.* ii 43, 110.

Νεοκλέους] Plut. *Them.* 1, N. οὐ τῶν ἀγῶν ἐπιφανῶν Ἀθήνησι.

τὰ πολεμικὰ] *Pol.* 1305 a 14, ἀπειρία τῶν πολεμικῶν, 1285 b 18, ἡγεμονία τῶν πολεμικῶν. *Ind. Ar.* On the other hand, πολέμοι is rare in *Ar.* Cf. c. 3 l. 7.

δικαιοσύνη] Plut. *Arist.* 3 fin., and 7, τὸν δίκαιον.

τῷ μὲν στρατηγῷ, τῷ δὲ συμβούλῳ] Aristotle obviously refers to the rival claims of Themistocles and Aristides in *Pol.* viii (v) 8, 1309 a 39, ἔχει δ' ἀπορίαν, ὅταν μὴ συμβαίνει ταῦτα πάντα (φυλλὰν πρὸς τὴν καθεστῶσαν πολιτείαν... δύναμιν μεγίστην τῶν ἔργων τῆς ἀρχῆς... ἀρετὴν καὶ δικαιοσύνην) περὶ τὸν αὐτὸν, πῶς χρὴ ποιεῖσθαι τὴν ἀρετὴν... ἐν στρατηγίᾳ μὲν (δεῖ βλέπεω) εἰς τὴν ἐμπειρίαν μᾶλλον τῆς ἀρετῆς... ἐν δὲ φυλακῇ καὶ ταμείᾳ τούναντιον. On the other hand Isocr., *Panath.* 143, strangely maintains that the best σύμβουλος will also prove the best general (*Class. Rev.* v 161 a).

§ 4. τευχῶν ἀνοικοδόμησιν] Thuc. i 89 § 3, τὴν πόλιν ἀνοικοδομεῖν παρεσκευάζοντο καὶ τὰ τεῖχη. Themistocles went as envoy to Sparta to gain time while the walls were being built (ib. 90), while Aristides was one of the ἐμπειροβέβητες who afterwards announced to Themistocles ἔχειν ἰκανῶς τὸ τεῖχος (91 § 3). Cf. Busolt, ii 321—9.

ἀλλήλους· ἐπὶ δὲ τὴν ἀπόστασιν τὴν τῶν Ἰώνων ἀπὸ τῆς τῶν Λακεδαιμονίων συμμαχίας Ἀριστείδης ἦν ὁ προτρέψας, τηρήσας 20 τοὺς Λάκωνας διαβεβλημένους διὰ Πανσανίαν. διὸ καὶ τοὺς 5 φόρους οὗτος ἦν ὁ τάξας ταῖς πόλεσιν τοὺς πρώτους ἔτει τρίτῳ μετὰ τὴν ἐν Σαλαμῖνι ναυμαχίαν ἐπὶ Τιμοσθένους ἀρχοντος, καὶ τοὺς ὄρκους ὤμοσεν τοῖς Ἰωσιν || ὥστε τὸν αὐτὸν ἐχθρὸν εἶναι καὶ [Col. 10] φίλον, ἐφ' οἷς καὶ τοὺς μύδρους ἐν τῷ πελάγει καθεῖσαν.

24. μετὰ δὲ ταῦτα θαρροῦσης ἤδη τῆς πόλεως καὶ χρημάτων ἡθροισμένων πολλῶν, συνεβούλευεν ἀντιλαμβάνεσθαι τῆς ἡγεμονίας καὶ καταβάνας ἐκ τῶν ἀγρῶν οἰκεῖν ἐν τῷ ἄστει· τροφήν γὰρ ἔσσεσθαι πᾶσι, τοῖς μὲν στρατευομένοις, τοῖς δὲ φρουροῦσι, 5 τοῖς δὲ τὰ κοινὰ πράττουσι, εἴθ' οὕτω κατασχέσειν τὴν ἡγεμονίαν. πεισθέντες δὲ ταῦτα καὶ λαβόντες τὴν ἀρχὴν τοῖς [τε] συμμάχοις 2

18 ἸΩΝΩΝΚ(ΔΙ)Τ(ΗΝ)Τ(ΩΝ)ΛΑΚΕΔ—ΜΑΧΙΑΝ:—ἀπὸ τῆς—συμμαχίας Blass, H-L, K-W, K². 21 πόλεσι H-L. 23 ὤμοσε H-L, B.

Β Δ

XXIV 2 ΠΟΛΛΩΝΗΘΡΟΙΣΜΕΝΩΝ: πολλῶν ἡθροισμένων H-L, B; ἀθροισμένων π. K-W. 5 πράττουσι H-L. 6 τοῖς τε: τοῖς B.

ἀπόστασιν τὴν τῶν Ἰώνων] Thuc. i 95 § 1, ἐν τῇδε τῇ ἡγεμονίᾳ ἥδη βιαίου ὄντος αὐτοῦ (Pausanias) οἱ τε ἄλλοι Ἕλληνες ἤχθοντο καὶ οὐχ ἡκιστα οἱ Ἰῶνες... φοιτῶν-τές τε πρὸς τοὺς Ἀθηναίους ἤξιον αὐτοὺς ἡγεμόνας σφῶν γενέσθαι κατὰ τὸ ξυγγενές καὶ Πανσανίᾳ μὴ ἐπιτρέπειν. Plut. Arist. 23. On the other hand Hdt. viii 3, πρόσ-φασιν τὴν Πανσανίῳ ὄβριν προσχόμενοι ἀπειλῶντο τὴν ἡγεμονίαν τοὺς Λακεδαιμονίους. On Pausanias cf. Pol. 1307 a 2, 1333 b 32.

§ 5. τοὺς φόρους] 'tributes.' Thuc. i 96, ἔταξαν δὲ τε εἶδει παρέχειν τῶν πόλεων χρήματα πρὸς τὸν βάρβαρον καὶ δὲ ναῦς... καὶ ἑλληνοταμίαι τότε πρώτον Ἀθηναίους κατέστη ἀρχή, οἱ ἐδέχοντο τὸν φόρον· οὗτος γὰρ ὡνομάσθη τῶν χρημάτων ἡ φορά. v 18 § 4, τὰς πόλεις φερούσας τὸν φόρον τὸν ἐπ' Ἀριστείδου. Plut. Arist. 24. Schol. Aeschin. 3 § 258, Ἀριστείδης ὁ τοὺς φόρους τάξας τοῖς Ἕλλησι. The φόρος was fixed in the first instance at 460 talents.

ἐπὶ Τιμοσθένους] B.C. 478/7.

The commencement of the Athenian ascendancy is placed by Diodorus (xi 41) in the year of Adeimantus (477/6). This is the date accepted by Clinton. Ephorus appears to have placed the first payment of tribute in the spring of 476 (Busolt; Rhein. Mus. xxxvii 313), and accordingly this has been the date usually assigned to the formation of the Confederacy of Delos.

Dem., Phil. iii 23, makes the Athenian ascendancy last 73 years, and the Lacedaemonian 29. The 29 years are reckoned from the battle of Aegospotami (July 405) to the battle of Naxos (Sept. 376). As the first of these battles marked the end of the Athenian empire, it follows that Dem. reckoned the beginning of the Athenian empire from 478, the first year after the Persian wars. For further details, see Clinton's Fasti, Appendix, c. 6; and Busolt, ii 345.

τοὺς ὄρκους ὤμοσεν] Plut. Arist. 25, ὁ δ' Ἀριστείδης ὥρισεν μὲν τοὺς Ἕλληνας καὶ ὤμοσεν ὑπὲρ τῶν Ἀθηναίων, μύδρους ἐμβαλὼν ἐπὶ ταῖς ἀραῖς εἰς τὴν θάλατταν. The same symbol of an irrevocable oath is recorded in Hdt. i 165, οἱ Φωκαῖες ἐποίησαντο λωχυρὰς κατὰρας τῷ ὑπολειπομένῳ ἐσωτῶν τοῦ στόλου· πρὸς δὲ ταύτῃσι καὶ μύδρον σιδήρεον κατεπόντωσαν καὶ ὤμοσαν μὴ πρὶν εἰς Φωκαίην ἔξειν, πρὶν ἢ τὸν μύδρον τοῦτον ἀναφῆναι, and in Horace, Epod. 16, 25.

XXIV § 1. θαρροῦσης] c. 22 § 3.

καταβάνας ἐκ τῶν ἀγρῶν κτλ.] In contrast to Peisistratus who encouraged agriculture with a view to preventing his subjects from living in Athens (c. 16 § 3).

§ 2. λαβόντες τὴν ἀρχὴν] The simple verb is similarly used in Isocr. 4 § 72; 5 § 61; 7 § 7; 8 §§ 30, 69, 74, 104; 16 § 103. He has παραλαβεῖν τὴν ἀρχὴν

δεσποτικωτέρως ἐχρῶντο πλὴν Χίων καὶ Λεσβίων καὶ Σαμίων·
τούτους δὲ φύλακας εἶχον τῆς ἀρχῆς, ἐῶντες τὰς τε πολιτείας παρ'
3 αὐτοῖς καὶ ἄρχειν ὧν ἔτυχον ἄρχοντες. κατέστησαν δὲ καὶ τοῖς
πολλοῖς εὐπορίαν τροφῆς, ὥσπερ Ἀριστείδης εἰσηγήσατο. συνέ- 10
βαινε γὰρ ἀπὸ τῶν φόρων καὶ τῶν τελῶν [[καὶ τῶν συμμάχων]]

8 <τὰς> παρ', Richards, K-W. 9 ἄρχοντες <αὐτοῖς ἐπιτρέποντες, καὶ — —>
'dictum erat de cleruchis' K-W. 10 συνέβαινε H-L. 10—22 'idoneam sen-
tentiam non praebeant...certe ipsi auctori tribuenda non videntur' H-L. 11 ΦΟΡΩΝ:
εἰσφορῶν Whibley (H-L). καὶ τῶν συμμάχων secl. K-W, B.

in 4 § 100; 8 § 101; κατασχῶν in 4 § 102,
8 § 126.

δεσποτικωτέρως] This comparative of
the adverb is not in L and S. *Pol.* iv 10,
3, τὸ δεσποτικῶς ἄρχειν.

πλὴν Χίων καὶ Λεσβίων καὶ Σαμίων]
Thuc. i 19, (in the interval between the
Persian and Peloponnesian wars) Ἀθηναῖοι
δὲ (τοὺς συμμάχους ἡγοῦντο) ναὺς τε τῶν
πόλεων τῷ χρόνῳ παραλαβόντες, πλὴν
Χίων καὶ Λεσβίων, καὶ χρήματα τοῖς
πᾶσι τάζαντες φέρειν. Even when (under
Pericles) the confederacy of Delos was
transformed into an empire on the part
of Athens, with her former confederates
degraded into tributary dependencies,
Chios, Samos and Lesbos alone remained
on their original footing of autonomous
allies.

It was after the revolt of *Samos* in
440 B.C. that that state was conquered
by an armament under ten generals, in-
cluding Pericles and Sophocles, and after
a prolonged contest disarmed and dis-
mantled (Thuc. i 115—117). Lesbos
and Chios still remained in a privileged
position (Thuc. iii 10).

Mitylene and the greater part of *Lesbos*
revolted in 428 (*ib.* 2), one of the reasons
being that the Mitylenaeans 'had no
security that Athens would not degrade
them into the condition of subject-allies
like the rest' (*ib.* 10 *fin.*). The forti-
fications of Mitylene were razed, all her
ships of war captured, and the greater
part of the island allotted to Athenian
settlers (*ib.* 50).

In 425 *Chios* incurred the suspicion of
Athens by building a new wall, which
implied an intention to revolt (Thuc. iv
51). The Athenians insisted on the de-
struction of the wall (52). *Chios* actually
revolted in 412 and was much harassed
by the Athenians (Thuc. viii 14—61).

It is to the result of these revolts that
Aristotle refers in *Pol.* iii 13, 1284 a 39,
where, after speaking of ostracism as a
means of suppressing undue prominence,

he adds: τὸ δ' αὐτὸ καὶ περὶ τὰς πόλεις
καὶ τὰ ἔθνη ποιοῦσιν οἱ κύριοι τῆς δυνάμεως,
οἷον Ἀθηναῖοι μὲν περὶ Σαμίου καὶ Χίου
καὶ Λεσβίου (ἐπεὶ γὰρ θάττον ἐγκρατῶς
ἔσχον τὴν ἀρχήν, ἐταπεινώσαν αὐτοὺς παρὰ
τὰς συνθήκας). But (as observed by
Schlosser) the remark in the *Politics* is
untrue of Lesbos, and barely true of
Samos and Chios. The account in the
text correctly describes the position of
privilege at first enjoyed by these three
islands. The passage in the *Politics* refers
to a later time and is therefore not in-
consistent with the text (cf. W. L. New-
man, *Class. Rev.* v 162 b).

ἐῶντες] The two constructions of ἐῶν
are here combined, (1) the acc., as in
Pol. v 7, 1307 b 16, κινήσαντας τὸν νόμον
ἔδωκεν τὴν ἄλλην πολιτείαν, and (2) the
inf., as *ib.* 3, 1302 b 20, ἔδωκας γενέσθαι
ἰᾶσθαι ὑστέρον.

ὧν ἔτυχον ἄρχοντες] For Chian pos-
sessions on the mainland, cf. *Hdt.* i 160
(Wyse). On the relations of Athens to
Chios, Lesbos and Samos, cf. Wilamowitz,
Aus Kydathen, pp. 11, 12.

§ 3. ὥσπερ Ἀριστείδης εἰσηγήσατο]
'If the policy of Aristides is placed in
a less favourable light than we should
expect, inasmuch as he is said to have
converted a citizen-body largely consist-
ing of peasants into an urban citizen-
body subsisting on pay and exercising a
despotic authority over the subject states,
and thus to have contributed to the
establishment of an extreme democracy,
we remember that we are taught in the
Politics (iv 6, 5, 1292 b 41 *sqq.*) to con-
nect the establishment of a *τελευταία*
δημοκρατία with a large increase in the
size of the city and with the provision of
pay, and also that Theophrastus' opinion
of Aristides was not an altogether favour-
able one (Plut. *Arist.* c. 25).' (W. L.
Newman in *Class. Rev.* v 162 b.)

τῶν φόρων] See note on 23 § 5.
τῶν τελῶν] 'taxes.' With the ex-
ception of the produce of plunder in war

πλείους ἢ διςμυρίους ἄνδρας τρέφεσθαι. δικασταὶ μὲν γὰρ ἡ[σα]ν
ἑξακισχίλιοι, τοξόται δ' ἑξακόσιοι καὶ χίλιοι, καὶ πρὸς τούτοις
14 ἵππεῖς χίλιοι καὶ διακόσιοι, βουλὴ δὲ πεντακόσιοι, καὶ φρουροὶ

12 ΔΙΚΑΣΤΑΙ: ὁπλῖται? van Leeuwen, Gennadios.

and sale of prisoners, the *phoros* was at this time the only source of revenue from foreigners. (The duty on merchandise passing to or from the Euxine was not levied until 409.) Hence the reference in *τελών* is to taxes imposed by the Athenians and levied *at home*, whether (1) ordinary taxes, such as harbour-dues, market-dues, court-fees, and payments made by resident aliens, or (2) extraordinary taxes. The latter were levied for special purposes, viz. the property-tax (*eisphora*) which was practically a war-tax, and the *λειτουργίαι*, or compulsory services. These last did not contribute towards the support of the citizens except by relieving them of expenses which might otherwise have fallen on the public chest. Lastly, there was the income derived from rents of public lands, and from the mines at Laurium.

In Thuc. vi 91, 6, Alcibiades enumerates some of these sources of revenue, viz. the mines, the public land and the law-courts and the tribute paid by the allies (*τῆς ἀπὸ τῶν συμμαχῶν προσόδου*). There is a fuller enumeration in Aristoph. *Vesp.* 656, καὶ πρῶτον μὲν λογίσαι φαῦλως, μὴ ψήφοις, ἀλλ' ἀπὸ χειρὸς, τὸν φόρον ἡμῶν ἀπὸ τῶν πόλεων ἐυλλήβδην τὸν προσόντα· κἄψω τούτων τὰ τέλη χωρὶς καὶ τὰς πολλὰς ἐκατοστάς, πρυτανεία, μέταλλ', ἀγοράς, λιμένας, μισθοὺς καὶ δημόπρατα (making a total of nearly 2000 talents, of which the 6000 *δικασταὶ* received 150).

As the *σύμμαχοι* contribute no payment except the *phoros*, it is clear that the mention of them in the text is superfluous.

The text, as it stands, appears to imply that the citizens of Athens derived maintenance from the allies over and above the *phoros* and the *telos* paid by them; cf. [Xen.] *Rep. Ath.* i 16—18. Fees paid by the allies in lawsuits may be included in the reference, for these helped to maintain the dicasts (Gilbert, i 382, 4). There was also an *ἐπιφορά* (*ib.* 397). The visits of the citizens of the allied states to Athens would be another source of profit' (Newman).

πλείους ἢ διςμυρίους] The numbers actually specified amount to 15,750. If to this we add (with Mr Kenyon) '4000

men for the 20 guard-ships at the usual rate of 200 men to each ship,' we obtain a total of 19,750, not including the orphans and other privileged persons mentioned at the end of the chapter.

δικασταὶ] As these were not paid until the time of Pericles, this must be (as Mr Kenyon notices) an anticipation of the results of the policy initiated by Aristides. *ἑξακισχίλιοι* i.e. 600 for each tribe. This is apparently the number of the dicasts in the times of the democracy after Cleisthenes. The *Heliastae* were instituted by Solon; but their number in his days is unknown, though it was probably not very small.

τοξόται] The context shews that *citizens* serving as bowmen are meant. The figures in the text are partly borrowed from Thuc. ii 13 § 7, where Pericles, on the outbreak of the Peloponnesian war, estimates the number of the *τοξόται* at 1600, and the *ἱππεῖς* at 1200 *ἐν ἱπποτοξόταις*. In Thuc. vi 25 Nicias requires for the Sicilian expedition *τοξοτῶν τῶν αὐτόθεν καὶ ἐκ Κρήτης*. Gilbert, *Gr. St.*, i 305, quotes CIA i 79, *τοξόται οὐ δασυκοί*; i 45, (*κατὰ*) *φυλάς τοχ[σ]οταὶ δέκα*; and i 55, 433, 446; *ib.* i 79, *οὐ τόξαρχοι*. The 1600 freeborn bowmen in the text must be distinguished from the 1200 Scythian bowmen of Andocides (*de Pace*, 7) and Aeschines (*F. L.* §§ 173—4). The latter were a police force instituted in 480 B.C. when 300 were purchased for this purpose by the state (Andoc. *l. c.* 5).

ἱππεῖς] The same number is found in Thuc. ii. 13 § 7, and in Andocides and Aeschines (*l. c.*) In 490 Athens had no cavalry (Hdt. vi 112). The number gradually rose to 1000, Arist. *Eg.* 225, Philochorus *ἐν τετάρτῳ* (B.C. 456—404) ap. Hesych. s. v.; and this number was maintained in the fourth century (Xen. *Hipparch.* 9, 3; Dem. 14 § 13). The number 1200 in Thuc. includes the *ἱπποτοξόται*. As the latter were Scythian slaves, it was a discredit to an Athenian citizen to serve in this force (Lys. 15 § 6). The fact that only 1000, out of the total 1200, are really citizens is apparently overlooked in the text. Gilbert, *Gr. St.*, i 305, n. 5, quotes Philochorus, *l. c.*, *διάφορα γὰρ ἦν ἱππέων πλήθὴ κατὰ χρόνον Ἀθηναίους*, but holds

νεωρίων πεντακόσιοι, καὶ πρὸς τούτοις ἐν τῇ πόλει φρουροὶ πεντή- 15
κοντα, ἀρχαὶ δ' ἐνδημοὶ μὲν εἰς ἐπτακοσίους ἀνδρας, ὑπερόριοι δ'

15 τῇ secl. κ-w², B.

16 M(EN) ḤCAN EIC.

that little credit can be given to any statements giving 1200 as the total number of the *ἱππεῖς* alone.

φρουροὶ νεωρίων] I cannot find any other passage in which these are expressly mentioned. In Thuc. ii 13 § 6 half the circuit of the Peiraeus and Munichia is described as ἐν φυλακῇ, and the total number of ὀπλῖται τῶν ἐν τοῖς φρουροῖς καὶ τῶν παρ' ἐπαλξιν is 16,000 (*ib.* § 3). This number is the force employed on the outbreak of war.

ἐν τῇ πόλει φρουροὶ] The mention of the νεώρια in the previous clause might at first sight suggest that these φρουροὶ were concerned with the upper πόλις in contrast with the Peiraeus: but, if so, we should expect ἐν τῷ ἄστει as the normal term to express this contrast. It is therefore probable that τῇ πόλει refers to the Acropolis, and it is so translated by Th. Reinach. This view (as Mr Wyse suggests to me) is supported by an inscr. of the 5th cent. published in the *Bulletin de Corr. Hellénique*, 1890, 177—180, and ascribed to 447 B.C. in CIA IV 3, 26 a, [τ]ὴν πόλιν . . . ο . . . [ο]λκ[α]δ[ο]μήσαι θ[π]ως] ἀνδραπέτης μὴ εἰσ[ι]ν μηδὲ λωποδύτης] ταῦτα δὲ ξυγρ[α]ψάει μὲν Καλλικρ[α]τή(ν) δπως ἀριστά κα[τ]ε[λ]εγέσθαι σα[φ]ε[ρ]ῶς [ο]λκ[α]ν[τ]ο, μισθώσαι[τ]ε δὲ τοὺς πωλητὰς δπως ἀν ἐντὸς ἐξήκοντα ἡμερῶν ἐπισκ[ε]ψασθῇ, φύλακας δὲ [ε]ἶναι τρεῖς μὲν τοξότ[α]ς ἐκ τῆς φυλῆς τῆς [π]ρυτανειούσης. M. Foucart understands the three τοξόται who are to act as φύλακες to be *trois Scythes*, on the ground that the police was not recruited from the citizens, but it will be observed that they belong to a φυλὴ and are therefore citizens. They are appointed to guard the approach to a particular part of the Acropolis and to prevent runaway slaves from seeking sanctuary in the temples. πόλις, or ἡ πόλις, is regularly used of the Acropolis in the 5th century. Thuc. ii 15 *fin.* (καλεῖται) ἡ ἀκρόπολις μέχρι τοῦδε ἐνι ὕπ' Ἀθηναίων πόλις. Cf. c. 8 l. 24.

'Aristophanes always uses ἐν πόλει, εἰς πόλιν (without the article) when he means the Acropolis. In prose writers, however, there are places where the MSS give the article: Xen. *Anab.* vii 1, 27, ὑπαρχόντων πολλῶν χρημάτων ἐν τῇ πόλει, Aeschin. i § 97, οἰκίαν ὅπισθεν τῆς πόλεως, Antiph. 6 § 39, διελλάγην τούτοις ἐν τῇ

πόλει ἐναντίον μαρτύρων, [Xen.] *de Red.* 5 § 12, πολλὰ χρήματα εἰς τὴν πόλιν ἀνερχθέντα, Phil. *Per.* 32, ὅπως...οἱ δὲ δικασταὶ τὴν ψῆφον ἀπὸ τοῦ βωμοῦ φέροντες ἐν τῇ πόλει κρίνοιν. ἐν πόλει is no doubt the normal form in CIA i' (Wyse).

ἀρχαὶ...ἐνδημοὶ] The total number is large, and there is nothing to shew that the higher officers of state are excluded. Schömann (*Anst.* p. 147, E. T.) says: 'so far as our knowledge extends, the offices of government were unpaid.' Again, on p. 402, 'official functionaries,' as contrasted with subordinates, 'served without pay' (cf. *ib.* 436). But in c. 62 the archons receive for maintenance 4 obols a day each, and in c. 29 (under the constitution of 411) the archons and *πρυτάνεις* are excepted from the rule that all offices should be without pay.

ὑπερόριοι] In *Pol.* iii 14, 1285 b 14, we have τὰ κατὰ πόλιν καὶ τὰ ἐνδημα καὶ τὰ ὑπερόρια συνεχῶς ἔρχον, and the term ὑπερόριος occurs again in l. 18. Cf. law quoted in Aeschin. c. *Timarch.* 47, μηδὲ ἀρχὴν ἀρχέτω μηδεμῶν, μήτε ἐνδημον μήτε ὑπερόριον. Mr Kenyon's translation distinguishes between magistrates 'within the city' and 'those whose jurisdiction lay outside it'; Mr Poste (more satisfactorily) between 'home' and 'foreign' magistrates. The latter would naturally include the officials in the Athenian κληρουχία. The first κληρουχία was that settled near Chalkis in 510 B.C. The number of cleruchs sent out between 460 and 427 amounted to 9,450, not including those sent to Lemnos, Imbros and Aegina (Gilbert, *Gr. St.* i 421, note 4).

The cleruchs were subject to military orders, and we sometimes hear of civil magistrates being sent out by Athens, e.g. ἀρχοντες sent to Lesbos (Antiphon, *de Caede Her.* § 47). Cf. the ἐπισκοποὶ of Aristoph. *Av.* 1022, 1050 (see Wilamowitz, *Aus Kydathen*, p. 75), and the ἐπιμεληταὶ sent to Miletus (CIA iv 1, 22^a) and in later times to Delos, Haliartos and Paros (Boeckh, i 508 a, and n. 709 Fränkel).

The ἀρχαὶ ὑπερόριοι would also include the *φρούραρχοι*, as at Erythrae, CIA i 9 (Ditt. no. 2), and 10. *φρουραρχία* is mentioned in Xen. *Mem.* iv 4, 17, and *φρούραρχοι* possibly in [Xen.] *de Rep.*

εἰς ἑπτακοσίους· πρὸς δὲ τούτοις, ἐπεὶ συνεστήσαντο τὸν πόλεμον ὕστερον, ὁπλῖται μὲν δισχίλιοι καὶ πεντακόσιοι, νῆες δὲ φρουρίδες 19 εἴκοσι, ἄλλαι δὲ νῆες αἱ τοὺς φρουροὺς ἄγουσαι τοὺς ἀπὸ τοῦ

17 ἑπτακοσίους v. 16 male repetitum putant K-W (B). 'an <τὰ εἰς> τὸν πόλεμον?' K-W; κατέστησαν ἐς τὸν πόλεμον Richards. 19 ΦΟΡΟΥΣ K, et (lacuna post ἄγουσαι indicata) K-W: φρουροὺς van Leeuwen et Blass, coll. 62 § 1; φόρους 'vox aperte corrupta,' H-L; μισθοφόρους? Herwerden.

Ath. i 18, τοὺς ἐκπλέοντας Ἀθηναίων ἐτίμων ἂν μόνους, τοῖς τε στρατηγοῖς καὶ τοῖς φρουράρχοις (MSS τριπράρχοις) καὶ τοῖς πρέσβεις (Wilamowitz, *Aus Kydathen*, pp. 73—76). Cf. inscr. ascribed to the beginning of the Peloponnesian war (CIA iv 3, 27 c), οἵτινες Ἀθηναίων ἄρχουσι ἐν τῇ ὑπερορίᾳ.

συνεστήσαντο τὸν πόλεμον] The phrase συστήσαι or συστήσασθαι πόλιν or πολίτην is found in the *Politics* and τὰ πράγματα συνίστασθαι (of tragic poets) in the *Poetics* 6, p. 1450 a 37. Again, in *Thuc.* i 15 § 2 we find κατὰ γῆν δὲ πόλεμος... οὐδὲς ξυνέστη, and *Hdt.* vi 108 has συνεστῶτας Βουωτοῖσι for 'engaged in conflict with' the B. Here, if τὰ εἰς were to be inserted, it might mean 'organised,' as in *Xen. Anab.* vii 6 § 26 ἱππικὸν συνεστῆκός, cf. τὸ στράτευμα συνεστῆκός, of 'a standing army,' in *Dem.* p. 93 *fin.*

ὁπλῖται] The number 2,500 is difficult to reconcile with the figures mentioned elsewhere. The number of Athenians who fought at Marathon was 9,000 (*Pausan.* x 20, 2) or 10,000 (*Justin.* ii 9); at Plataea, 8,000. In *Thuc.* ii 13 § 2, Pericles estimates the number of hoplites at 13,000 fit for service in the field, and 16,000 (of the oldest and the youngest of the citizens) as fit to serve on garrison duty and to man the walls. In *Thuc.* ii 31 § 2, the Athenians march into Megara with a force of not less than 10,000 hoplites who were citizens, and not less than 3,000 who were μέτοικοι. Achaernae (the largest of the demes) could put into the field 3,000 hoplites. Possibly these numbers are exceptionally large and represent the maximum number of hoplites available on an emergency; but the number in the text professes to be that of the hoplites on the outbreak of war. The armament for the Sicilian expedition included not less than 4,000 hoplites (*Thuc.* vi 31, 2). In *Thuc.* vii 20 the hoplites ἐκ καταλόγου number 1,200.

It seems certain that these 2,500 hoplites (as partly implied in πρὸς τούτοις) are in addition to such of the citizens who were available in time of war. Most of

these have already been enumerated under previous headings. Thus, if we add to the 2,500 hoplites the 6,000 dicasts and the 500 members of the βουλῇ, we obtain a total of 9,000, the exact number of Athenians who (according to Pausanias) fought at Marathon. Again, if we further add the 700 home officials, we get a total of 9,700, only 300 less than the 10,000 Athenian hoplites who marched into Megara early in the Peloponnesian war.

Blass understands by ὁπλῖται *qui continent in praesidiis erant*.

νῆες—φρουρίδες] 'guard-ships.' In *Thuc.* iv 13 § 2 the Athenian fleet at Pylos includes τῶν φρουρίδων τινὲς τῶν ἐκ Ναυπάκτου: the ships from Zacynthus are 50 in all; of these 35 were already at that island in c. 5, and 4 ships came from Chios, leaving eleven as the number of guard-ships from Naupactus, which had been an Athenian naval station ever since its capture in 455 B.C. (*Thuc.* i 103). The only other passages in which 'guard-ships' are mentioned are *Xen. Hell.* i 3, 17, where they form part of the Spartan fleet in the Hellespont, ναῖς αἱ ἦσαν ἐν τῷ Ἑλλησπόντῳ καταλείμεναι φρουρίδες, and *CIA* iv 22 a, at Miletus, [δπο]στεϊλάντων [δδο] φρουρίδε. Cf. Wilamowitz, *Aus Kydathen*, p. 73 f.

The Athenian triremes were generally manned by about 200 each (*Boeckh* II xxii p. 376 Lamb; *Gilbert*, i 310).

τοὺς—ἄγουσαι] φόρους raises a serious difficulty. It has hitherto been supposed that the 'tributaries' of Athens paid in the money themselves to the Council (*Boeckh* II vii, p. 177 Lewis; *Gilbert*, i 398). Pollux (viii 114) inaccurately says that the ἑλληνοταμίαι collected the tribute, but this duty (when necessary) was (after 446?) performed by the ἐκλογεῖς. It was only the collection of arrears or fines that was enforced by means of νῆες ἀργυρολόγοι (*Thuc.* iii 19; iv 50, 75) under the command of one or more στρατηγοί (*Gilbert*, i 398, and *Beiträge*, p. 67). Further, unless we suppose a lacuna, τοὺς ἀνδρας cannot be construed. Hence the suggestion φρουρούς, which follows naturally

κνύμου δισχιλίους ἄνδρας, ἔτι δὲ πρυτανεῖον καὶ ὄρφανοὶ καὶ δεσ-
μωτῶν φύλακες: ἅπασι γὰρ τούτοις ἀπὸ τῶν κοινῶν ἡ διοίκη-
σις ἦν.

25. ἡ μὲν οὖν τροφή τῷ δήμῳ διὰ τούτων ἐγίγνετο. ἔτη δὲ
ἑπτὰ καὶ δέκα μάλιστα μετὰ τὰ Μηδικὰ διέμεινεν ἡ πολιτεία προ-
εστῶτων τῶν Ἀρεοπαγιτῶν, καίπερ ὑποφερομένη κατὰ μικρόν. αὐ-
ξανόμενου δὲ τοῦ πλήθους, γενόμενος τοῦ δήμου προστάτης Ἐφιάλ- 4

20 'πρυτανεῖον νix verum' K-W.
της H-L.

21 ἅπασι B. ΔΙΟΙΚΗCIC: διασί-

XXV 1 ΕΓΙΝ (K-W).

TESTIMONIA. XXV 4 Heraclidis epitoma (Rose, Frag. 611): Ἐφιάλτης.

after *φρουρίδες* and enables us to take τοὺς
ἄνδρας in apposition with it. In addition
to the guard-ships stationed at places
like Naupactus, there would be transports
to take the *φρουροί* to the places where
they were to be stationed. These *φρου-
ροι* were appointed by lot by the demes.
Even when changes were made in other
appointments, the *βουλευταὶ* and the *φρου-
ροι* still continued to be thus appointed
(c. 62 § 1).

πρυτανεῖον] i.e. the persons maintained
in the *πρυτανεῖον*, e.g. citizens who had
done good service and were entertained
at the public expense, either on a special
occasion or for life. Among the latter
were victors in the panhellenic games, dis-
tinguished generals or statesmen, and the
representatives of Harmodius and Aristo-
geiton. The archons and other officials
are not included in this list, as they have
already been included in the *ἀρχαὶ ἐν-
δημοί*; and besides, in historic times, the
archons probably dined in the *Thesmo-
thesion* and the *prytanes* and certain other
officials in the *Tholos* (see *Dict. Ant. s. v.*).
Cf. Hermann, *Staatsalt.* § 127, 17 f.

ὄρφανοί] The sons of citizens who
had fallen in war were maintained during
their minority at the public expense. The
regular phrase for this was *δημοσίᾳ τρέ-
φειν*. Cf. Thuc. ii 46, τοὺς παῖδας ἀπὸ
τοῦδε δημοσίᾳ ἡ πόλις μέχει ἡβῆς θρέψει.
Pol. ii 8, 1268 a 8 (τοῖς παῖσι τῶν ἐν τῷ
πολέμῳ τετελευτηκῶτων ἐκ δημοσίου γί-
νεσθαι τὴν τροφήν)... ἔστι δὲ καὶ ἐν Ἀθήναις
οὗτος ὁ νόμος νῦν. Plat. *Menex.* 248 E.
The institution is said to have gone back
as far as the time of Solon (Diog. Laert.
i 54). Cf. Schulthess, *Vormundschaft*,
pp. 13—26. *ὄρφανοί* are mentioned in an
inscr. said to be not later than 460 B.C.
(Dittenberger, no. 384, l. 120), but the
latter part is much mutilated' (Wyse).

δεσμωνῶν φύλακες] The Eleven had
the management of the prison and had
under them subordinates, such as jailers,
executioners and torturers; but as these
were *δημόσιοι*, or public slaves, the refer-
ence may possibly be to the Eleven them-
selves, who are called *δεσμοφύλακες* in
the Schol. on Dem. *Androt.* § 26, *Timacr.*
§ 210, and on Aristoph. *Plut.* 1108 where
the term is corrupted to *δεσμοφύλακες*.

διοίκησις] lit. 'administration.' *Pol.*
iii 16, 1287 a 6, ποιεῖν ἕνα κύριον τῆς
διοικήσεως, and 1331 b 9, περὶ γραφᾶς
δικῶν καὶ τῆν ἄλλην τὴν τοιαύτην διοίκησιν.
iv (vii) 10, 1330 a 7 (it is not easy for all
the citizens to pay their share in the
συσσίτια) καὶ διοικεῖν τὴν ἄλλην οἰκίαν.
The word is often used in the *Politics*,
of management or administration. The
primary meaning is 'to keep house,' as
in Plato *Meno* 91 A, τὰς τε οἰκίας καὶ τὰς
πόλεις διοικεῖν. *διοίκησις* means 'house-
keeping' in Dem. *Stroph.* 45 § 32, τῆς
καθ' ἡμέραν διοικήσεως. In the text it in-
cludes maintenance (*σίτησις*) and payment
of money.

XXV. *Ephialtes*.

§ 1. ἔτη ἑπτὰ καὶ δέκα μάλιστα]
From 478/7 B.C., the date of the Con-
federacy of Delos (23 § 5), in the first
year after the Persian wars, to 462/1, the
archonship of Conon.

προεστῶτων τῶν Ἀρεοπαγιτῶν] See
c. 23 § 1, and *Politics* there quoted.
Isocr. *Areop.* 51 ἡς ἐπιστατούσης κτλ.

ὑποφερομένη] c. 36 § 1.

Ἐφιάλτης ὁ Σοφωνίσβου] The father's
name is given (Σοφ-) in Aelian *Var. Hist.*
ii 43; iii 17; xi 9 (*πενέστατος ἦν*). The
last of these passages illustrates *ἀδωροδό-
κητος*. He declined an offer of 10 talents
from his friends, saying: ταῦτά με ἀναγ-
κάσει αἰδοῦμενον ὑμᾶς καταχαρίσασθαι τι
τῶν δικαίων, μὴ αἰδοῦμενον δὲ μὴδὲ χαρίζε-

5 της ὁ Σοφωνίδου, || καὶ δοκῶν ἀδωροδόκητος εἶναι καὶ δίκαιος [Col. 11]
 πρὸς τὴν πολιτείαν, ἐπέθετο τῇ βουλῇ. καὶ πρῶτον μὲν ἀνείλεν 2
 πολλοὺς τῶν Ἀρεοπαγιτῶν, ἀγῶνας ἐπι[φ]έρων περὶ τῶν διφρημέ-
 νων· ἔπειτα τῆς βουλῆς ἐπὶ Κόνωνος ἀρχοντος ἅπαντα περιείλετο

5 [[καί] δοκῶν H-L, K-W².
 K-W, K², B; περιείλετο H-L.

6 ἀνείλε H-L.

8 περιείλε: περιείλετο Richards,

μενον ὑμῶν ἀχάριστον δόξαι. Cf. Plut. *Cim.* 10. On Ephialtes, see Duncker, *G. d. A.* viii; Holm, *Gr. Gesch.* ii 176—7.

δίκαιος πρὸς τὴν πολιτείαν] The phrase reminds us of the *Politics*; v 9 § 1, 1309 a 36, τρίτον δ' ἀρετὴν καὶ δικαιοσύνην ἐν ἐκάστῃ πολιτείᾳ τὴν πρὸς τὴν πολιτείαν (*Class. Rev.* v 160 a). Aelian *Var. Hist.* xiii 39, 'Ἐφ. στρατηγὸς ἀνείδισαντος αὐτῷ τῶτος πενίαν 'τὸ δὲ ἕτερον' ἔφη 'διὰ τί οὐ λέγεις, ὅτι δίκαιός εἰμι;'

§ 2. ἀγῶνας ἐπιφέρει] Plut. *Per.* 10 § 6, 'Ἐφιάλτην... φοβερόν ὄντα τοῖς ὀλιγαρχικοῖς καὶ περὶ τὰς εὐθύνas καὶ διώξεις τῶν τὸν δῆμον ἀδικούντων ἀπαράτητον. Ephialtes had made himself feared by his opposition to Cimon in particular; Cimon's party was in a minority, as may be inferred from his being ostracised, probably in the spring of 462 (Busolt, i 454 n).—Cf. Oncken, *Staatslehre*, pp. 492—505, 'Ephialtes und die Gerichtsreform.'

ἐπὶ Κόνωνος] B.C. 462/1, Diod. xi 74. Hitherto the date of this attack on the Areopagus has not been accurately known. It has sometimes been assigned to B.C. 460 (Diodorus xi 77, followed e.g. in Peter's *Zeittafeln*) or about 458 (e.g. in Smith, *Dict. Ant. s. v.* Areopagus). Cf. Philippi, *Areop.* p. 256—9.

περιείλετο] *Inf.* § 4, περιείλοντο. See note on παραιρέσθαι and παραιρέσθαι in 27 § 1.

On the overthrow of the Areopagus by Ephialtes, cf. *Pol.* ii 12, 1274 a 7, καὶ τὴν μὲν ἐν Ἀρεῳ πάγῳ βουλὴν Ἐφιάλτης ἐκόλυσε καὶ Περικλῆς (καὶ Π. bracketed by Sauppe). It was not until a later date that Pericles deprived the Areopagus of some of its remaining privileges, c. 27 § 1. The text implies that he was not the leader of the present attack. Philochorus (FHG i 407), 'Ἐφ. μόνα κατέλυε τῇ ἐξ Ἀρεῳ πάγου βουλῇ τὰ ὑπὲρ τοῦ σώματος. Theopompus is supposed to be the authority followed on this point by Plutarch: *Pericles* γ (Eph.) κατέλυσε τὸ κράτος τῆς ἐξ Ἀρεῳ πάγου βουλῆς, πολλὴν (κατὰ τὸν Πλάτωνα, *Rep.* 562 C, D) καὶ ἄκρατον τοῖς πολλοῖς ἐλευθερίαν οἰνοχοῶν,

and *ib.* 9 (of the Areop.) ὥστε τὴν μὲν ἀφαιρεθῆναι τὰς πλείστας κρίσεις δι' Ἐφιάλτου. *Cimon* 10, (Cimon) πρὸς Ἐφιάλτην ὅστερον χάριτι τοῦ δήμου καταλύοντα τὴν ἐξ Ἀρεῳ πάγου βουλὴν διηρέθη, *ib.* 15, Ἐφιάλτου προσετώτος ἀφείλοντο τῆς ἐξ Ἀρεῳ πάγου βουλῆς τὰς κρίσεις πλὴν ὀλίγων ἀπάσας, καὶ τῶν δικαστηρίων κυρίους ἑαυτοὺς ποιήσαντες εἰς ἄκρατον δημοκρατίαν ἐνέβαλον τὴν πόλιν. *Prac. Ger. Rep.* 10 § 15 (II 805), βουλὴν τῶς ἐπαχθῆ καὶ ὀλιγαρχικῇ κολούσαντες, ὥστε Ἐφιάλτης Ἀθήνησι... δύναμιν ἅμα καὶ δόξαν ἔσχον, *ib.* 15 § 18, ὡς Περικλῆς... δι' Ἐφιάλτου τὴν ἐξ Ἀρεῳ πάγου βουλὴν ἐταπεινώσε. Pausan. i 29, 15, 'Ἐφ. ὅς τὰ νόμιμα τὰ ἐν Ἀρεῳ πάγῳ μάλιστα ἐλυμήρατο. Cf. Philippi, *Der Areopag.*, pp. 256—271; Busolt, ii 460.

In the *Eumenides* (681—706) we have a well-known defence of the jurisdiction of the Areopagus in matters of homicide, the main point which was left untouched by the reforms of Ephialtes. The date of the play is fixed by the hypothesis to the *Agamemnon* as the archonship of Philocles, Ol. 80, 2 = 459/8; and the list of νῆκαι Διονυσιακαὶ found on the Acropolis in 1886 describes Aeschylus as exhibiting in that year, *i.e.* in March, 458: 'Ἐφ. Ἀρχ. 1886, p. 209, quoted in Haigh's *Attic Theatre*, p. 322, [ἐπὶ Φιλο]κλέους... τραγῳδῶν, Ξενοκλῆς Ἀφιδναῖος] ἐχορή[γει], Διοχόλος ἐδίδασκεν. It was held by Meier, Boeckh and K. O. Müller that even the cognisance of cases of homicide was taken away from the Areopagus by Ephialtes and not restored until after the expulsion of the Thirty. Müller (*Dissertation on Eum.* § 36) went so far as to affirm that the motion of Ephialtes was carried after the representation of the *Eumenides*, whereas Diodorus places it two years earlier (460) and the text four years earlier. The fact that they retained their jurisdiction in cases of homicide is clearly stated by Philochorus (*l.c.*) and has been conclusively proved by Forchhammer (1828). The very privilege that the reformers left untouched is prominently brought forward by the poet.

τὰ ἐπίθετα δι' ὧν ἦν ἡ τῆς πολιτείας φυλακή, καὶ τὰ μ[ὲν τ]οῖς πεντακοσίοις, τὰ δὲ τῷ δήμῳ καὶ τοῖς δικαστηρίοις ἀπέδωκεν. 10
3 ἔπραξε δὲ ταῦτα συναιτίου γενομένου Θεμιστοκλέους, ὃς ἦν μὲν

11 ἔπρα·ε?, ἔπραξε B, ἔπραττε K etc.

GEN: γυν· Richards, γιγν· H-L.

11 *Isocr. Areopagitici argumentum (ed. Benseler, p. lviii; Schol. in Aeschin. etc. Dind. p. 111; Orat. Att. ed. Turicensis, ii p. 6): 'Εφιάλτης τις καὶ Θεμιστοκλῆς χρεω-
στοῦντες τῇ πόλει χρήματα καὶ εἰδότες ὅτι, ἐὰν δικάσθωσιν (δικάσωσιν Bens.) οἱ Ἀρεο-
παῖται, πάντως ἀποδώσουσι, καταλῦσαι αὐτοὺς ἐπεισαν τὴν πόλιν, οὕτως οὕτως τινὸς
μέλλοντος κριθῆναι. "ὁ γὰρ Ἀρ. λέγει ἐν τῇ πολ. τῶν Ἀθ. ὅτι καὶ ὁ Θεμιστοκλῆς
αἰτίας ἦν μὴ πάντα (πάντως cod. Mustoxydis) δικάζων τοὺς Ἀρεοπαῖτας" (Rose,
Frag. 366¹, 404²)· δῆθεν μὲν, ὡς δι' αὐτοὺς τοῦτο ποιοῦντες, τὸ δ' ἀληθὲς διὰ τοῦτο
πάντα κατασκευάζοντες. εἰτα οἱ Ἀθηναῖοι ἀσμένως ἀκούσαντες τῆς τοιαύτης συμβουλῆς
κατέλυσαν αὐτοὺς.

Cf. Philippi, *Areop.* pp. 264, 290, and Grote, c. 46 (iv 112 n).

τὰ ἐπίθετα] These 'additional privileges' include almost everything except the ancient prerogatives of the Areopagus in connexion with trials for homicide. The legend of Orestes and the history of the first Messenian war (B.C. 743) alike imply that it had jurisdiction in such cases 'from of old,' Pausan. iv 5 § 2 δίκας τὰς φονικὰς...δικάζων ἐκ παλαιού. Cf. Meier and Schömann, *Att. Process.*, ed. Lipsius, p. 11.

Harpocr. s. v. ἐπιθέτου ἐορτάς defines them as τὰς μὴ πατρῶν (cf. c. 3, 16—18), and adds: ἐλέγετο δὲ παρ' αὐτοῖς καὶ ἄλλα ἐπιθετὰ τινα, ὅποσα μὴ πάτρια ὄντα ἢ ἐξ Ἀρείου πάγου βουλῇ ἐδίκασεν, ὡς σαφὲς ποιεῖ Λυσίας κτλ (cf. Philippi, *Areop.* 157). The reference to Lysias shews that the ἐπίθετα meant by Harpocr. are after the time of the Thirty and are not the same as those meant in the text.

φυλακῇ] c. 4 § 4 φύλαξ, and 8 § 4, ἐπίσκοπος. Schömann's *Ant.* pp. 332 and 493, E. T. Among the privileges now taken away from the Areopagus would be the general superintendence of education and of public morals, e.g. the enforcing of the ancient νόμος ἀργίας. Grote, c. 46, iv 112; Schömann, p. 498; Philippi, *Areop.* pp. 162—170, 268—272.

τῷ δήμῳ] Cic. *de Rep.* i 43, 'Athenienses quibusdam temporibus sublato Areopago nihil nisi populi scitis ac decre-
tis agebant.'

τοῖς δικαστηρίοις] Thus, the jurisdiction in cases of ἀσέβεια seems in general to have been transferred to the law-courts; but certain forms of ἀσέβεια continued to be tried by the Areopagus, esp. the offence of doing damage to the sacred olive-trees (Lys. *Or.* 7). Schömann, p. 498. On the general question, cf. Philippi, *Areop.* pp. 272—289.

§ 3. συναιτίου γενομένου Θεμιστοκλέους] Hitherto, the attack on the Areopagus has been generally attributed to Ephialtes and Pericles (*Pol.* 1274 a 7); the present passage assigns a prominent part to Themistocles. The only other authority for associating Themistocles with Ephialtes on this occasion is to be found in the argument to the *Areopagiticus* of Isocrates (see *Testimonia*), probably due to a Christian writer in the sixth century (Rose, *A. P.*, p. 423). Duncker, *G. d. A.* viii 258—260, discusses the account just mentioned. He attributes the attack on the part of Themistocles to a change of policy in the Areopagus due to its now containing a large number of ex-archons who had been merely appointed by lot and not by open election.

The text implies that Themistocles was still at Athens in 462 B.C., whereas, according to the current view, he was ostracised in 471 B.C. (Diod. xi 54) and fled to Persia about 466 B.C. In his flight he passed through the Athenian fleet which was besieging Naxos (Thuc. i 137 § 2, and Plut. *Them.* 25 § 1). The reduction of Naxos took place before the battles at the Eurymedon (Thuc. i 100 § 1), which are assigned to 466. Xerxes died in 465 and, according to Thuc. i 137 § 3, Themistocles on his arrival at the Persian court found Artaxerxes νεωστὶ βασιλεύοντα. Besides Thucydides, Charon of Lampsacus, one of the λογογράφοι prior to Herodotus, is quoted by Plutarch, *Them.* 27 § 1, as making Themistocles reach the court after the death of Xerxes. The authorities there quoted, as making him arrive before the king's death, are Ephorus, Deinon, Cleitarchus and Hera-
cleides; but the account of Thuc. is accepted as 'agreeing better with the dates, although these again have not been firmly settled beyond dispute.'

12 τῶν Ἀρεοπαγιτῶν, ἐμελλε δὲ κρίνεσθαι μηδισμού. βουλόμενος δὲ

If the narrative in the text is accepted, Themistocles was at Athens in 462, awaiting his trial on the charge of Medism. This must be the first accusation, prior to his ostracism, and on this charge (according to Diod. xi 54) he was acquitted (Grote, c. 44, iv 36, 37). The second accusation, which is the only one mentioned by Thuc. (i 135 § 1), and Plut. (*Them.* 23), was not brought forward until after his banishment. We should then be compelled to place his ostracism not earlier than 461, and his flight to Persia about 460, when Artaxerxes had been on the throne for about five years. To reconcile this with *νεωστὶ* in Thuc., Mr Kenyon suggests that 'the fifth year of a king who ruled for forty might well be spoken of as in the beginning of his reign.' But the incident connected with the siege of Naxos makes it impossible to make the narrative in the text agree with the account in Thuc. Mr Kenyon proposes two alternatives: either (1), the story of the flight of Them. should be connected with some operations about 460 B.C. and not with the siege of Naxos; or (2), there were two inconsistent accounts of the latter years of Them., that adopted by Thuc. and that in the present text. We can hardly hesitate in choosing the second alternative, and in following the authority of Thucydides. Cf. Abbott, *Hist. Gr.* ii 386—8.

The chronology of this period has been investigated anew by Bauer, who implicitly accepts the statement in the text, and accordingly alters the date of the siege of Naxos. His dates as compared with those of Clinton are as follows:

	Clinton	Bauer
Siege of Naxos	466	460 (spring)
battle of Eurymedon	"	" (autumn)
revolt of Thasos	465	459 (spring)
third Messenian war	464	" (summer?)
defeat at Drabescus	465	" (autumn)
Thasos subdued by Cimon	463	457 (spring)
expedition to Egypt	460	456 (spring)
ostracism of Cimon	461	455 (spring)
recall of Cimon	456	452 (winter)
end of Egyptian war	455	450 (spring)
death of Cimon	449	448

These dates involve setting aside the text of Thuc. iv 102 in two points: in § 1 we are told that the defeat at Drabescus was 32 years after the failure of Aristagoras to establish himself on the Strymon, and (*ib.* § 2) 28 years before the founding of Amphipolis (in 437 B.C.), Schol. Aeschines ii 31. It is more in accordance with the narrative in Hdt. v 126 to place the failure of Aristagoras

in B.C. 497 than in 491. Again, the alliance with Argos is placed late in 457, whereas the *Eumenides* of Aeschylus, which contains a clear reference to this alliance (l. 290, 757—766), was performed in March, 458, more than a year earlier (*Athenaeum*, 1891, p. 317). See also Mr E. M. Walker in *Class. Rev.* vi 95—99.

It is remarkable that in Plutarch's *Life of Themistocles* not a word is said as to his having taken any part in the attack on the Areopagus. In this connexion Plutarch mentions Ephialtes and Pericles alone (note on § 2, *περιελθeto*). We must infer either (1), that Plutarch had no first-hand acquaintance with this treatise; or (2), that he carelessly omitted to notice this narrative; or (3), that he had no such narrative in his copy.

Against (1) we may set the fact that in 10 § 3 Plutarch quotes Aristotle as his authority for a statement found in c. 23 § 1, and also for the murder of Ephialtes mentioned at the end of this very chapter. But this makes Plutarch's silence on Themistocles all the more singular. (Cf. Abbott, *Hist. Gr.* ii 518.)

Against (2) it may be remarked that the story would have admirably illustrated the duplicity of Themistocles, and as such would naturally have been welcomed by the biographer. Mr Kenyon suggests that the omission 'can hardly be explained except on the theory that in actually writing his lives he used the notes and extracts he had previously made without having the complete work before him'; but this puts the difficulty only one stage further back, and compels us to ask how Plutarch came to omit to make any note of this narrative. He accepts the statement in Thucydides that Themistocles reached the Persian court after the death of Xerxes as in better agreement with the dates. This implies that the biographer had paid some attention to the chronology of the time. It seems possible therefore that he rejected the narrative on the ground that it did not fit in with the date of the siege of Naxos, which Plutarch, following Thucydides, mentions in connexion with the flight of Themistocles. But even supposing he deliberately rejected the narrative, it is strange that he says nothing about it. His treatment of his authorities is, however, by no means systematic and uniform. In his *Life of Themistocles*, he quotes no less than 30 different authorities of very various degrees of importance. Even Thucydides does not command his

καταλυθῆναι τὴν βουλὴν ὁ Θεμιστοκλῆς πρὸς μὲν τὸν Ἐφιάλτην ἔλεγειν ὅτι συναρπάζειν αὐτὸν ἢ βουλή μέλλει, πρὸς δὲ τοὺς Ἀρεο-
παγίτας ὅτι δείξει τινὰς συνισταμένους ἐπὶ καταλύσει τῆς πολυ-
τείας. ἀγαγὼν δὲ τοὺς αἰρεθέντας τῆς βουλῆς οὐ διέτριβεν ὁ
Ἐφιάλης, ἵνα δείξῃ τ[οῦ]ς ἀθροιζομένους, διελέγετο μετὰ σπουδῆς
4 αὐτοῖς. ὁ δ' Ἐφιάλης ὡς εἶδεν καταπλαγεῖς καθίζει μονοχίτων

16 ἀφαιρεθέντας (κ): αἰρεθέντας? κ (κ-ω, β); αἰρεθέντας ὑπὸ Richards; ἐφαι-
ρεθέντας H-L, coll. Thuc. iv 38; ἐξ- Poland. ΟΥ: οἱ H-L.

undivided allegiance. With regard to the adventures of Themistocles in Asia, while respecting the chronology of Thucydides, Plutarch disdains to reproduce the historian's account of those adventures, following by preference the untrustworthy romance of Phanias of Eresos (Holden's *Introd.* §§ 17, 22). Such a fact detracts considerably from his authority as a judicious critic of the materials which he had before him.

As to (3), Prof. Tyrrell in the *Quarterly Review*, 1891, p. 344, infers from the silence of Plutarch that he 'never read the work before us. But he had certainly read some other treatise ascribed to Aristotle on the *Athenian Constitution*; therefore there must have been other editions of the *Athenian Constitution* circulating under the name of Aristotle.' Yet both the passages, which Plutarch in his *Themistocles* quotes as from this treatise, are to be found in the edition which we possess. Prof. Tyrrell regards the description of this attack on the Areopagus as 'very bald and feeble.' Such a consideration might point to its not being by the same hand as the main bulk of the treatise; and suggest that, without our assuming that it was absent in Plutarch's copy, it might on this ground alone be regarded as an interpolation. But the style of the narrative does not appear to me to differ materially from that of the context, and I should therefore prefer to attribute it to the same author as the rest of the treatise. But, while the narrative may be genuine, we can hardly regard it as authentic. The celebrated story of the proposal of Themistocles to burn the Hellenic fleet at Pagasae is described by Grote (v 27, note 2) as 'probably the invention of some Greek of the Platonic age'; and the present narrative has probably no earlier origin.

ἦν τῶν Ἀρεοπαγιτῶν] He owed this position to the fact that he had been archon in 481/1; see note on c. 22 § 7.

συναρπάξιν] The object of Themisto-

cles perhaps was to inveigle the Areopagus into exposing itself to a charge of attempting to 'pounce upon' an influential citizen. It was one of the things remembered against the Thirty that they 'pounced on' citizens in this way, Lys. 12 § 96 (Newman).

τοὺς αἰρεθέντας] τοὺς ἀφαιρεθέντας, if retained, means not 'the persons despatched by the Areopagus,' but 'members of the Council of the Areopagus selected and set apart for the purpose.' *Hist. An.* 6, 22, 576 b 23, ὥρα δ' οὐκ ἀφαιρείται οὐδεμία ἀφωρισμένη (*Class. Rev.* v 164 a). ἀφαιρέσθαι, however, is very rarely used in this sense.

'In Lys. 13 § 23 the *Codex Palatinus* has οἱ διαιεθέντες τῶν βουλευτῶν, where Reiske's correction of αἰρεθέντες has been generally accepted; Weidner, however, proposes οἱ δέκα αἰρεθέντες' (Wyse).

οὐ διέτριβεν] usually understood as 'the house of' Ephialtes. In c. 16 we have ἐν τῷ ὅσπερ διατρίβωσιν. It need not imply anything so definite as a 'house': it may refer to any public place, such as the precincts of a temple. Ephialtes, on receiving the hint that the Council was intending to arrest him, may well have taken the precaution of being not only in the company of his friends but also within reach of sanctuary in the neighbourhood of a βωμός.

§ 4. καθίζα—ἐπὶ τὸν βωμόν] On altars as places of refuge, cf. Eur. *Ion*, 1257—1260, ποῖ φύγω δῆρ'; ... ποῖ δ' ἂν ἄλλω; ἢ 'πρὶ βωμόν; μονοχίτων] 'wearing his tunic only,' instead of the ἱμάτιον as well. Such a guise would be appropriate to his position as a suppliant. The word is formed on the analogy of μονόπεδος 'wearing but one robe,' 'wearing the tunic only,' Eur. *Hec.* 933 = ἀπεπλος, 'without the upper garment'; Pind. *N.* i 74. But, hitherto, it has not been found earlier than Polybius (fragm. xiv 11, 2). It was also quoted from Pythænetus, *ap.* Athen. 589 F, Μέλισσα ἀναμπεύσας καὶ μονοχίτων ἦν. τὸν βωμόν] The article is

ἐπὶ τὸν βωμόν. θαυμασάντων δὲ πάντων τὸ γεγ[ο]ν[ός] καὶ μετὰ
 20 ταῦτα συναθροισθείσης τῆς βουλῆς τῶν πεντακοσίων κατηγόρου
 τῶν Ἀρεοπαγιτῶν ὃ τ' Ἐφιάλτης καὶ <ὁ> Θεμιστοκλῆς, καὶ πάλιν
 ἐν τῷ δήμῳ τὸν αὐτὸν τρόπον, ὥς περιεείλοντο αὐτῶν τὴν δύναμιν.
 καὶ <ὁ μὲν Θεμιστοκλῆς — — —>, ἀνῆρέθῃ δὲ καὶ ὁ Ἐφιάλτης δολο-
 φονηθεὶς μετ' οὐ πολὺν χρόνον δι' Ἀριστοδίκου [τ]οῦ Ταναγραίου.

26. ἡ μὲν οὖν τῶν Ἀρεοπαγιτῶν βουλή τοῦτον τὸν τρόπον
 ἀπεσπτερήθη τῆς ἐπιμελείας. μετὰ δὲ ταῦτα συνέβαινε ἀνίσσθαι
 μᾶλλον τὴν πολιτείαν διὰ τοὺς προθύμως δημαγωγούντας. κατὰ
 γὰρ τοὺς καιροὺς τούτους συνέπεσε μὴδ' ἡγεμόνα ἔχειν τοὺς ἐπιει-
 5 κεστέρους, ἀλλ' αὐτῶν προεστάναι Κίμωνα τὸν Μιλτιάδου, ἡνέωτε-

21 <ὁ> Θεμ. K-W, H-L, B.

22 ΠΕΡΙΕΙΛΟΝΤΟ: περιεείλοντο K, K-W, B; παρεί-
 λοντο H-L.

23 καὶ <ὁ μὲν Θεμιστοκλῆς — — —>, ἀνῆρέθῃ δὲ κτλ K-W. καὶ om.
 J B Mayor, Blass, (H-L).

XXVI 4 Post ἡγεμόνα adiectivum (velut ἔμπειρον) desiderat Richards, σπουδαῖον
 Gennadios; an ἡγεμόνα ἔχειν ἱκανόν? ὁ νεώτερον: νεώτερον? Kontos, K-W;
 idem mavult Herwerden qui ἀνοότερον coniecerat; 'fort. πωρόν' B; νεώτερον vel
 ἐνέωτερον Weil (*Journal des Savants*, Avril, 1891); aliquid eiusmodi desiderabat Wyse;
 quondam ἀβέλτερον conieci; στρατιωτικώτερον (coll. Polyb. 23, 10, 4 στρατιωτικώτερος
 ἡ πολιτικώτερος) vel πολεμικώτερον Richards, cf. Plut. *Præc. Ger. Reip.* c. 16 § 22
 ἦν γὰρ ὁ μὲν (Περικλῆς) πρὸς πολιτείαν, ὁ δὲ (Κίμων) πρὸς πόλεμον εὐφύστερος.

TESTIMONIA. XXV 23, 24 * Plut. *Per.* 10 (infra exscriptum).

peculiar. If the 'house' of Eph. is meant, it implies 'the family altar.' Otherwise, some notable altar may be intended, such as the 'altar of the twelve gods' (so Milchhöfer in Curtius, *Stadtgeschichte*, p. ccxi), or that of Zeus Ἀγοραῖος. The latter was near the στοὰ βασιλείας where meetings of the Areopagus were sometimes held (Dem. 25 § 23). Cf. Lys. 13 § 4 καθίζουσιν ἐπὶ τὸν βωμόν Μου-
 χίαςιν and § 54, ἐπὶ τοῦ βωμοῦ ἐκάθητο.

τῶν πεντακοσίων added to contrast the
 βουλή of the Five Hundred with that of
 the Areopagus mentioned in the context.

ἀνῆρέθῃ Plut. *Per.* 10 ad fin. Ἐφιάλτην
 ... ἐπιβουλευσάντες οἱ ἐχθροὶ δι' Ἀριστοδίκου
 τοῦ Ταναγραίου (v. l. -αίου) κρυφαῖως ἀνείλον,
 ὥς Ἀριστοτέλης εἰρηκεν. In the same
 chapter Plutarch quotes and rejects the
 account of Idomeneus, κατηγοροῦντι τοῦ
 Περικλέους, ὡς τὸν δημαγωγὸν Ἐφιάλτην
 φίλον γενόμενον καὶ κοινωνὸν ὄντα τῆς ἐν τῇ
 πολιτεία προαιρέσεως δολοφονήσαντος διὰ
 ζηλοτυπίας καὶ φθόνου τῆς δόξης. Diod. xi
 77, 6, τῆς νυκτὸς ἀναιρεθεὶς ἀθῆλον ἔσχε τὴν
 τοῦ βίου τελευτήν. [Plat.] *Axioch.* 368 D,
 ποῦ δ' Ἐφιάλτης (τέθνηκε); Antiph. 5 § 68,
 οὐδέπω νῦν εὐρηγται οἱ ἀποκτείναντες.

XXVI. Cimon.

§ 1. ἀνίσσθαι—πολιτείαν] The meta-
 phorical use of ἀνίσσθαι is common in

Ar. e.g. *Rhet.* i 4, 1360 a 24, πολιτεία
 καὶ ἀνιέμεναι καὶ ἐπιτείνόμεναι φθίρονται
 (with Cope's note), *Pol.* v 1, 1301 b 17,
 ἵνα ἐπιταθῶσιν ἡ ἀνεθῶσιν αἱ πολιτεῖαι,
 vi (iv) 3, 1390 a 28, πολιτεῖαι ἀνιέμεναι
 καὶ μαλακαὶ (opp. to συντονώτῃ), iv (vii)
 4, 1326 a 28, πολιτεία ἀνιέμῃ πρὸς τὸ
 πλῆθος. The origin of the metaphor
 (from the strings of a musical instrument)
 may be seen in *Pol.* v (viii) 7, 1342 b 22,
 ἁρμονίαι ἀνιέμεναι opp. to σύντοναι.

For the facts, cf. Plut. *Cimon* 15, ὡς
 δὲ πάλιν ἐπὶ στρατείας ἐξέπλευσε, τελῶς
 ἀνεθῆντες οἱ πολλοὶ καὶ συγχεόντες τὸν
 καθεστῶτα τῆς πολιτείας κόσμον τὰ τε πά-
 τρια νόμιμα, οἱ ἐχρῶντο πρότερον, Ἐφιάλτου
 προσεστῶτος ἀφείλοντο τῆς ἐξ Ἀρείου πάγου
 βουλῆς τὰς κρίσεις πλὴν ὀλίγων ἀπάσας,
 καὶ τῶν δικαστηρίων κυρίους ἑαυτοὺς ποιή-
 σαντες εἰς ἀκρατον δημοκρατίαν ἐπέβαλον
 τὴν πόλιν, ἥδη καὶ Περικλέους δυναμένου
 καὶ τὰ τῶν πολλῶν φρονούντος. The time
 to which Plutarch refers is later than
 Cimon's subjugation of Thasos (463 Clinton;
 457 Bauer). He is following those
 who place the beginning of the influence
 of Pericles at an earlier date than that
 assumed in the present treatise.

τοῦ—δημαγωγούντας] *Pol.* 1274 a
 14, δημαγωγὸς ἔλαβε φαύλους.

νεώτερον] possibly means 'rather young'

ρον ὄντα καὶ πρὸς τὴν πόλιν ὀψὲ προσελθόντα, πρὸς δὲ τούτοις ἐφθάρθαι τοὺς πολλοὺς κατὰ πόλεμον· τῆς γὰρ στρατείας γιγνομένης ἐν τοῖς τότε χρόνοις ἐκ καταλόγου, καὶ στρατηγῶν ἐφισ[τ]αμένων ἀπειρῶν μὲν τοῦ πολεμεῖν τιμωμένων δὲ διὰ τὰς πατρικὰς δόξας, αἰεὶ συνέβαινε τῶν ἐξιόντων ἀνὰ δισχιλίου ἢ τρισχιλίου 10 ἀπόλλυσθαι, [ὥ]στε ἀναλίσκεσθαι τοὺς ἐπικεῖς καὶ τοῦ δήμου καὶ

7 ΓΙΝ (K-W).

10 ΔΙΕΙ (K, K-W).

to be the leader of a great political party. But, as Cimon had fought at Salamis 18 years before (Plut. *Cim.* 5), he could hardly have been less than 36 in B.C. 462; and was probably more than 40, if we place his birth in 504 (the date given on p. 39 of Ekker's ed. of Plut. *Cim.*). His birth should probably be placed earlier, as he was στρατηγός (and therefore over 30) at Eion in 476 (Thuc. i 98). Again, Pericles, who was probably born in B.C. 493, is described as a young man (νέος ὢν, 27 § 1), when he made his reputation by accusing Cimon, presumably after the expedition to Thasos, 463. How then can Cimon, who was obviously older than Pericles, and who had won the battle of Eurymedon three years before, be described as 'rather young' shortly after B.C. 462? νεώτερον has therefore been generally regarded as corrupt, and various emendations have been suggested, expressive of Cimon's inadequacy for the position of a political leader. The fact that his intellectual development was somewhat tardy is implied in the story preserved by Aristides, ii 203 Dind., according to which his guardians did not allow him to manage his own property until some time after he had come of age (μέχρι πόρρω τῆς ἡλικίας), while in Plut. *Cim.* 4 he is said to have resembled his father in εὐθθεια. (Cf. Wyse in *Class. Rev.* v 274 b.) The combination of νεώτερον and ὀψὲ προσελθόντα is in itself open to suspicion.

νοθρότερον (which has been suggested) is found in Ameipsias, frag. 16, Pollux ix 138; cf. the description of Chares in Theopompus, frag. 288, νοθροῦ τ' ὄντος καὶ βραδέος. See also Schol. to Aristides in iii 515, 8—10 and 517, 28—30 Dind.

νεώτερον is, however, retained by Bauer (p. 101), who suggests that, under the influence of the Areopagus, the leaders of the political parties had generally been elderly men. Mr E. M. Walker (*Class. Rev.* vi 98) holds that the epithet is consistent with c. 25 which implies that Themistocles was at Athens in 462: 'it

is only when we recognise that the author ... put the battle of Eurymedon some eight years too late, and that the interval between Tanagra and the five years' truce found no place in his historical retrospect, that we can understand how he came to apply to Cimon in the year 462 those much discussed words νεώτερον ὄντα καὶ πρὸς τὴν πόλιν ὀψὲ προσελθόντα.'

πρὸς τὴν πόλιν ὀψὲ προσελθόντα] 'having been rather late in entering on public life.' I am not aware of any exact parallel to this phrase; but we have something like it in c. 27 § 1, πρὸς τὸ δημαγωγεῖν ἐλθόντος.

ἐκ καταλόγου] 'from the roll of hoplites,' as contrasted with the mercenary troops that came into vogue at a later date.

πατρικὰς] here 'ancestral.' See c. 28 § 5.

ἀνὰ δισχιλίου—ἀπόλλυσθαι.] Isocr. *De Pace* § 87 (of the losses sustained by Athens in her pursuit of supremacy at sea), τοὺς κατὰ χιλίους καὶ δισχιλίους ἀποθνήσκοντας τίς ἀν ἀριθμήσειεν; *Pol.* viii (v) 3, 1303 a 9, καὶ ἐν Ἀθήναις ἀνυχοῦντων πειρῇ οἱ γνώριμοι ἐλάττους ἐγένοντο διὰ τὸ ἐκ καταλόγου στρατεύεσθαι ὑπὸ τὸν Λακωνικὸν πόλεμον.

ἀπόλλυσθαι.] Between 462 and 457 B.C. the Athenians were defeated by the Corinthians at Halieis (458; Thuc. i 105, 1), and by the Lacedaemonians at Tanagra (457; *ib.* 108, 1). The operations in Egypt, which had been begun in 460, came to an unsuccessful conclusion in 455 (*ib.* 110, 1). On the other hand, they were victorious over the Peloponnesians on the sea at Kekryphaleia, and over the Aeginetans in a naval engagement in 458 (Thuc. i 105, 1—2). During the absence of the main body of the Athenian soldiers in Egypt and Aegina, Myronides defeated the Corinthians in the territory of Megara (458, i 105, 4). In 456 the Athenians defeated the Boeotians at Oenophyta, and in the same year Aegina yielded to Athens.

τῶν εὐπόρων. τὰ μὲν οὖν ἄλλα πάντα διφύκουν οὐχ ὁμοίως καὶ 2
 πρότερον τοῖς νόμοις προσέχοντες, τὴν δὲ τῶν ἐννέα ἀρχόντων
 αἵρεσιν οὐκ ἐκίνουν, ἀλλ' ἔκτω ἔτει μετὰ τὸν Ἐφιάλτου θάνατον
 15 ἔγνωσαν καὶ ἐκ ζευγιτῶν προκρίνεσθαι τοὺς κληρωσομένους τῶν
 ἐννέα ἀρχόντων, καὶ πρῶτος ἦρξεν ἐξ αὐτῶν Μνησιθείδης. οἱ δὲ
 πρὸ τούτου πάντες ἐξ ἱππέων καὶ πεντακοσιομεδίμνων ἦσαν, οἱ
 <δὲ> ζευγίται τὰς ἐγκυκλίους ἤρχον, εἰ μὴ τι παρεωράτο τῶν ἐν
 τοῖς νόμοις. ἔτει δὲ πέμπτῳ μετὰ ταῦτα ἐπὶ Λυσικράτους ἀρχον- 3
 20 τος οἱ τριάκοντα δικασταὶ κατέστησαν πάλιν οἱ καλούμενοι κατὰ
 δήμους· καὶ τρίτῳ μετὰ τούτου ἐπὶ Ἀντιδότου διὰ τὸ πλῆθος τῶν 4
 πολιτῶν, Περικλέους εἰπόντος, ἔγνωσαν μὴ μετέχειν τῆς πόλεως ὅς
 ἂν μὴ ἐξ ἀμφοῖν ἀστοῖν ἢ γεγονώς.

13 οὐχ quondam debebat Wyse.

14 ἀλλ' ἢ Blass (H-L).

18 δὲ add. κ

(edd.). post παρεωράτο deletum ὑπὸ τῶν δῆμων retinent H-L. 21 ΜΕΤΑΓ-
 ΤΟΝ ante corr. (κ', H-L, B); μετὰ τούτου post corr. (κ-ω, κ'). 23 ΜΝ: corr. Κ.

§ 2. οὐχ ὁμοίως—προσέχοντες] The main change was the reduction of the power of the Areopagus. But while, in this and other respects, Athens departed from her previous constitutional arrangements, she retained the limitations under which the archons were appointed from among the first and second classes of citizens. It was not until 457 that the archonship was thrown open to members of the third class.

ἔκτω ἔτει] It was in 462 B.C. that Ephialtes overthrew the Areopagus; and 457 is the date of the change in the archonship immediately before the archonship of Mnesitheides. The latter event is 5 years (or in the sixth year) after the former. The change in the archonship is here described as happening in the sixth year 'after the death of Ephialtes.' It follows (as observed by Mr Kenyon) that Ephialtes was put to death in the year in which he overthrew the Areopagus.

ἐκ ζευγιτῶν] Originally the office of archon was open to members of the first class only (cf. c. 7 § 3 and Plut. *Arist.* 1). In course of time it became open to the second class, possibly after the Persian wars, when, according to Plut. *Arist.* 22, the archonship was made accessible to 'all the Athenians,' on the motion of Aristides, who (after the battle at Plataea) γράφει ψήφισμα κοινῇ εἶναι τὴν πολιτείαν καὶ τοὺς ἀρχοντας ἐξ Ἀθηναίων πάντων αἰρεῖσθαι. Lastly, in 457 we here have the office open to the third class. It was

never legally open to the fourth class (c. 7 *ad fin.*). Cf. Abbott, *Hist. Gr.* ii 385—6.

προκρίνεσθαι] 8 § 1; 22 § 5.

κληρωσομένους τῶν ἐννέα ἀρχόντων] sc. ἀρχόν. Lysias 6 § 4, ἐὰν ἐλθῇ κληρωσο-
 μένος τῶν ἐννέα ἀρχόντων καὶ λάχῃ βασι-
 λεύῃ, and ib. 24 § 13, τί με κωλύει κληροῦ-
 σθαι τῶν ἐννέα ἀρχόντων;

Μνησιθείδης] B.C. 457/6.

τὰς ἐγκυκλίους] sc. ἀρχάς, 'the ordinary (i.e. inferior) offices.' Pol. i 7, 1255 b 25, τὰ ἐγκύκλια διακονήματα, ii 5, 1263 a 21, τὰς διακονίας τὰς ἐγκυκλίους, ii 9, 1269 b 35, χρησίμου δ' οὐσῃ τῆς θρασύτητος πρὸς οὐδὲν τῶν ἐγκυκλίων ἀλλ' εἴπερ πρὸς τὸν πόλεμον. The term had already been similarly used by Isocr. 3 § 22, ἐν τοῖς ἐγκυκλίοις καὶ τοῖς καθ' ἡμέραν ἐκάστην γιγνομένοις, and de Pace 87. *Inf.* c. 43, l. 3.

εἰ μὴ τι παρεωράτο] 'assuming the laws were strictly observed'; in other words, the members of the third class were, *strictly speaking*, eligible for the ordinary offices alone; but occasionally by an oversight they were elected to the office of archon. Similarly, in later times even members of the fourth class became archons, although not legally qualified.

§ 3. ἐπὶ Λυσικράτους] B.C. 453/2.

οἱ τριάκοντα] 16 § 5.

§ 4. ἐπὶ Ἀντιδότου] B.C. 451/0.

Περικλέους εἰπόντος—γεγονώς] Pol. iii 5, 1278 a 34, τέλος δὲ μόνον τοὺς ἐξ ἀμφοῖν ἀστῶν πολίτας ποιοῦσιν. Plut. *Pericles* 37, ἀκμάζω δὲ Περικλῆς ἐν τῇ πολιτείᾳ πρὸ πάντων πολλῶν χρόνων καὶ παιδᾶς ἔχων

27. μετὰ δὲ ταῦτα πρὸς τὸ δημαγωγεῖν ἐλθόντος Περικλέους, καὶ πρῶτον εὐδοκίμησαντος ὅτε κατηγορήσε τὰς εὐθύνας Κίμωνος στρατηγούντος νέος ὢν, δημοτικωτέραν ἔτι συνέβη γενέσθαι τὴν πολιτείαν· καὶ γὰρ τῶν Ἀρεοπαγιτῶν ἕνια παρείλετο, καὶ μάλιστα προὔτρεφεν τὴν πόλιν ἐπὶ τὴν ναυτικὴν δύναμιν, ἐξ ἧς συνέβη 5

XXVII 2 πρωτοῦ: πρὸ τοῦ Jackson, van Leeuwen; πρῶτον Blass, alii (K-W, H-L, K²). 4 παρείλετο (K, H-L, B): περιέλετο K-W, cf. 25 νν. 8, 22. 5 προὔτρεψε H-L.

...γενσίους, νόμον ἔγραψε μόνους Ἀθηναίους εἶναι τοὺς ἐκ δουλῶν Ἀθηναίων γεγονότας. Aelian *Var. Hist.* vi 10, xiii 24, frag. 68. Cf. Isaeus 8 § 19; 12 § 9; Aeschin. 1 § 39. Philippi, *Bürgerrecht*, p. 69 seq.

The text places this event early in the public career of Pericles: Plutarch places it later. It has been argued that no such law could have been proposed by Pericles (see Buermann, *Jahrb. f. cl. Phil. Suppl.* Bd ix 624-1, 1878; Gilbert, *Gr. St.* i 179; Schenk, *Wiener Studien*, ii 171; Duncker, *Bericht d. Berl. Akad.*, 1883, p. 935; Busolt in Müller's *Handbuch* IV 1, 141). According to these, the 'law of Pericles' was really a revision of the list of citizens in 445/4 (*Athenaeum*, 1891, 435 c). See also Westermann's Introduction to Dem. *Eubulides*.

XXVII. Pericles.

§ 1. κατηγορήσε—Κίμωνος νέος ὢν] Plutarch, *Cim.* 14, states that Cimon was put on his trial on his return from the reduction of Thasos on the ground that he had been bribed not to follow up his success by an invasion of Macedonia: δίκην ἔφυγε (ἔφευγε? cf. Plut. *Per.* 10, ὅτε—δίκην ἔφευγε) τῶν ἐχθρῶν συστάτων ἐπ' αὐτόν. He also quotes from Cimon's contemporary, Stesimbrotus, the story of Cimon's sister Elpinice appealing to Pericles (οὗτος γὰρ ἦν τῶν κατηγορῶν ὁ σφοδρότατος) in favour of her brother. The result was that Pericles ἐν γὰρ τῇ δίκῃ πρῶτατος γενέσθαι τῷ Κίμωνι καὶ πρὸς τὴν κατηγορίαν ἀπαξ ἀναστήναι μόνον, ὥσπερ ἀφισιόμενος. In Plut. *Pericles* 10, he is described as εἰς τῶν κατηγορῶν...ὕπὸ τοῦ δήμου προβεβλημένος, and as having done less than the rest of the prosecutors to damage the cause of Cimon. Cimon's expedition to Thasos has generally been placed in B.C. 465-3. The date suggested by Bauer for the revolt of Thasos is 459, and for its reduction (τρίτῃ ἔτει, Thuc. i 101) 457.

εὐθύνας] 59 § 2, στρατηγοῖς εὐθύνας. τῶν Ἀρεοπαγιτῶν ἕνια παρείλετο] Plutarch, *Pericles* 9, describes Pericles as

attacking the Areopagus after he had instituted pay for the law courts at the instance of 'Damonides.' He also states that it was by the aid of Ephialtes that he deprived the Areopagus of the greatest part of its jurisdiction. In the text, which Plutarch professes to follow, by quoting Aristotle as his authority for 'Damonides,' the present attack on the Areopagus is placed *before* the account of the payment of the law courts; and Ephialtes is no longer alive (c. 25 § 4).

παραιρεῖσθαι, in mid., is used of 'disfranchising persons' in *Pol.* iii 5, 1278 a 32, εὐποροῦντες δὲ ὄχλου κατὰ μικρὸν παραιροῦνται τοὺς ἐκ δούλου πρῶτον ἢ δούλης, 14, 1285 b 16, τῶν ὄχλων παραιρουμένων (of the withdrawal of royal privileges on the part of the people), viii (v) 10, 1311 b 6, γυναῖκα παραιλεῖσθαι, to seduce. In *Hdt.* ii 109, π. τί τινοίς is used in the general sense of 'taking away from,' 'stealing away from.' In c. 15 §§ 3, 4, and twice in 37 § 2, it is applied to πλά.

παραιρεῖσθαι is similarly used of 'stripping off' and 'taking away,' e.g. Dem. p. 246, 23, ἀπάντων...ἐλευθερίαν παραιλεῖτο, *Pol.* vii (vi) 2, 1318 a 1, (τὰ τοιαῦτα δημοτικά)...ἐὰν δέ τις καταλειφθῇ ἐξ ἀρχαίας μεταβολῆς, τότε παραιρεῖσθαι τὴν δύναμιν αὐτῆς καὶ ἐξ αἰρετῶν κληρωτοὺς ποιεῖν. Both words are equally defensible and the MS reading may therefore be retained. We have παραιρεῖσθαι τὰ ἐπίθετα in 25 § 2, and τὴν δύναμιν in 25 § 4; we also have παραιρεῖσθαι στέφανον in c. 57 § 4.

ναυτικὴν δύναμιν] *Pol.* vii (vi) 7, 1321 a 14, ἡ δὲ ψιλὴ δύναμις καὶ ναυτικὴ δημοτικὴ πάντων. viii (v) 4, 1304 a 22 (immediately after mention of the influence of the Areopagus), καὶ πάλιν ὁ ναυτικὸς ὄχλος γενόμενος αἰτίος τῆς περὶ Σαλαμῖνα νίκης καὶ διὰ ταύτης (ταύτην *comi.* Susemihl) τῆς ἡγεμονίας διὰ τὴν κατὰ θάλατταν δύναμιν τὴν δημοκρατίαν ἰσχυροτέραν ἐποίησεν. The inhabitants of the Peiraeus, consisting mainly of the ναυτικὸς ὄχλος, were distinctively democratical.

θαρρήσαντας τοὺς πολλοὺς ἄπασαν τὴν πολιτείαν μᾶλλον ἄγειν εἰς αὐτοὺς. μετὰ δὲ τὴν ἐν Σαλαμῖνι ναυμαχίαν ἐνὸς δεῖν πεντη- 2 κοστῶ ἔτει ἐπὶ Πυθοδώρ[ου] ἄρχοντος ὁ πρὸς Πελοποννησίους ἐνέστη πόλεμος, ἐν ᾧ κατακλησθéis ὁ δῆμος ἐν τῷ ἄστει καὶ συν- 10 εθισθéis ἐν ταῖς στρατείαις μισθοφορεῖν, τὰ μὲν ἐκὼν τὰ δὲ ἄκων προηρείτο τὴν πολιτείαν διοικεῖν αὐτός. ἐποίησε δὲ καὶ μισθοφόρα 3 τὰ δικαστήρια Περικλῆς πρῶτος, ἀντιδημαγωγῶν πρὸς τὴν Κίμωνος εὐπορίαν. ὁ γὰρ Κίμων, ἅτε τυραννικὴν ἔχων οὐσίαν, πρῶτον μὲν τὰς κοινὰς λητουργίας ἐλητούργει λαμπρῶς, ἔπειτα τῶν δημο-

.α.

6 ΠΑΣΑΝ: πᾶσαν B, ἄπασαν ceteri.

7 ΔΕΙ (H-L, B): δεῖν J E B Mayor, K-W,

K².

9 ΕΝΕΣΤΗ: συνέστη H-L: confert K c. 5 vv. 11, 22; 17 v. 15; 41 v. 2, quibus omnibus in locis H-L συνέστη malunt.

-ΚΛΙΣΘΕΙC: -κλεισθéis K, cf. 19, 32;

-κλησθéis K-W, H-L, B.

10 ΣΤΡΑΤΙΑΙC.

TESTIMONIA. 14—18 Heraclidis epitoma (Rose, Ar. Frag. 611, 5²): τοὺς ἰδίους ἀγρῶνς ὀπωρίζειν παρῆχε τοῖς βουλευμένοις, ἐξ ὧν πολλοὺς εἰδείπνιζε. *Plut. Cím. 10 (infra exscriptum).

θαρρήσαντας] c. 22 and 24 § 1.

§ 2. δεῖν] c. 19 end.

ἐπὶ Πυθοδώρου] B.C. 432/1, 48 years after 480/79. Thuc. ii 2, § 1 fixes the date of the beginning of the war as the Spring of 431, Πυθοδώρου ἐτι δύο μῆνας ἄρχοντος.

ἐνέστη] συνέστη has been proposed, on the ground that ἐνέστη refers to a *bellum instans*, and συνέστη to a *bellum ortum*. Thuc. i 15 § 2, κατὰ γῆν δὲ πόλεμος... οὐδὲς ἐνέστη. It is true that in Isocr. p. 82 B τὸν πόλεμον τὸν ἐνεστάντα... τῇ πόλει refers to an imminent war, but it is equally true that in Dem. 255, 10 (cf. 274, 6) the beginning of a war is expressed by ὁ τότε ἐνεστὸς πόλεμος. Cf. Aeschin. F. L. 58, ἐτι τοῦ πολέμου... ἐνεστηκότος. The latter phrase is contrasted, in the *Rhet. ad Alex.* 3, 1425 a 36, with γίγνεσθαι μέλλον. Ar. *Rhet.* i. 9, 1366 b 23, κατὰ τὸν ἐνεστῶτα καιρὸν. Φυσικὴ Ἀκρόασις, iv 13, 222 b 14, ὁ χρόνος ἐγγὺς τοῦ ἐνεστώτος νῦν.

κατακλησθéis—ἄστει] Thuc. ii 13 § 2, (Pericles) παρήγει τὴν πόλιν εἰσελθόντας φυλάσσειν, ib. 14—17.

§ 3. ἐποίησε—μισθοφόρα τὰ δικαστήρια] Pol. ii 12, τὰ δὲ δικαστήρια μισθοφόρα κατέστησε Περικλῆς. Plut. *Per.* 9. Aristides, ii 192 Dind. Boeckh, II xv; Grote, c. 46, iv 103; Gilbert, *Gr. St.* i 325. τυραννικὴν—οὐσίαν] Cimon, son of Miltiades, was (on the side of his mother, Hegesipyle) grandson of the Thracian king Olorus (Plut. *Cím.* 4). The fine of 50 talents inflicted on Miltiades was paid by Cimon.

λητουργίας ἐλητούργει] λητουργίαι and λητουργός are quoted as Attic forms by ancient grammarians (Ammonius 89; Moeris 202; Bekker's *Anecd.* 277, οἱ παλαιοὶ Ἀττικοὶ διὰ τοῦ η̄ λέγον λητουργεῖν); and the forms in λη- are found in inscriptions of the fourth century. In 386 B.C. we have [λη]ιτουργιῶν, CIA ii add. 554 b 14; in the time of Demosthenes and Aristotle, τὰς [ἄ]λλας ληι- [τουργ]ίας καλῶς ληιτοῦργεῖ... ib. 557, 5; in 340—332, ληιτοῦργήσαν, ib. 172, 4. Meisterhans, *Grammatik d. Attischen Inschriften*, ed. 1888, p. 29, note 174 (Introd. to Dem. *Lept.* p. iii).

τῶν δημοτῶν ἔπρεπε πολλοὺς κτλ.] Plut. *Cím.* 10, τῶν τε γὰρ ἀγρῶν τοὺς φραγμοὺς ἀφείλεν, ἵνα καὶ τοῖς ξένοις καὶ τῶν πολιτῶν τοῖς δεομένοις ἀδεῶς ὑπάρχῃ λαμβάνειν τῆς ὁπώρας, καὶ δεῖπνον οἶκοι παρ' αὐτῷ λιτὸν μὲν, ἀρκοῦν δὲ πολλοῖς, ἐποικεῖτο καθ' ἡμέραν, ἐφ' ὃ τῶν πενήτων ὁ βουλόμενος εἰσῆγει καὶ διατροφὴν εἶχεν ἀπράγμονα, μόνον τοῖς δημοσίοις σχολάζων. ὥς δ' Ἀριστοτέλης φησιν, οὐχ ἀπάντων Ἀθηναίων, ἀλλὰ τῶν δημοτῶν αὐτοῦ Λακιαδῶν παρεσκευάζετο βουλευμένῳ τῷ δεῖπνον. *Pericl.* 9, ἐν ἀρχῇ... πρὸς τὴν Κίμωνος δόξαν ἀντιταττόμενος ὑπεποικεῖτο τὸν δῆμον ἑλατοῦμενος δὲ πλούτῳ καὶ χρήμασι, ἀφ' ὧν ἐκείνος ἀνελάμβανε τοὺς πένητας δεῖπνόν τε καθ' ἡμέραν τῷ δεομένῳ παρέχων Ἀθηναίων καὶ τοὺς πρεσβυτέρους ἀμφεινύνων, τῶν τε χωρίων τοὺς φραγμοὺς ἀφαιρῶν, ὅπως ὀπωρίζωσιν οἱ βουλόμενοι, τοῦτοις ὁ Περικλῆς καταδημαγωγούμενος τρέπεται πρὸς τὴν τῶν δημοσίων διανομήν. The

τῶν ἔτρεφε πολλούς· ἐξῆν γὰρ τῷ βουλομένῳ Λακιάδων καθ' 15
ἐκάστην τὴν ἡμέραν ἐλθόντι παρ' αὐτὸν ἔχειν τὰ μέτρια, ἔτι δὲ τὰ
χωρία πάντα ἀφρακτα ἦν, ὅπως ἐξῆ τῷ βουλομένῳ τῆς ὁπώρας
4 ἀπολαύειν. πρὸς δὲ ταύτην τὴν χορηγίαν ἐπιλειπόμενος ὁ Περι-
κλῆς τῇ οὐσίᾳ, συμβουλευσάντος αὐτῷ Δαμωνίδου τοῦ Οἰήθεν (δς

15 τοῦς πολλοὺς, delete τοὺς. 17 ΕΞΗΝ: ἐξῆ (K-W, H-L, K², B). 18 ΕΠΙ-
ΛΕΙΠ: ἀπολειπόμενος Richards (H-L). 19 <Δάμωνος> Δαμωνίδου "Οαθεν Wyse
(*Class. Rev.* v 227), cf. Wilamowitz, *Hermes* xiv 320. Οἰήθεν H-L, K² (Meisterhans,
45²); Οἰήθεν K-W, B.

19 * Plut. *Per.* 9 (Ar. Frag. 365², 403²), infra exscriptum.

story of Cimon's generosity appears in an exaggerated form in Theopompus, *Philippica* x (FHG ii 293, ap. Athen. 533 A), Κίμων ὁ Ἀθηναῖος ἐν τοῖς ἀγροῖς καὶ τοῖς κήποις οὐδὲνα τοῦ καρποῦ καθίστα φύλακα, ὅπως οἱ βουλόμενοι τῶν πολιτῶν εἰσιόντες ὀπωρίζονται καὶ λαμβάνουσιν ἐλ τινος δέ- ουστο τῶν ἐν τοῖς χωρίοις. ἔπειτα τὴν οἰκίαν παρέιχε κοινὴν ἅπασιν· καὶ δειπνοῦν ἀεὶ εὐτελὲς παρασκευάζεσθαι πολλοῖς ἀν- θρώποις, καὶ τοὺς ἀπόρους προσώπτας τῶν Ἀθηναίων εἰσιόντας δειπνεῖν. This exag- gerated account is recorded by Plutarch to be corrected on the authority of the present passage. Aristotle's pupil, Theophrastus, was no less careful in adhering to the truth, *Cic. de Off.* ii 64, 'Theophrastus scribit Cimonem Athenis etiam in suos curiales Laciadas hospitem fuisse: ita enim instituisse et vilicis imperavisse, ut omnia praeberebantur, quicumque Laciades in villam suam devertisset.' The excerpts ascribed to Hera- cleides tell the same story of Ephialtes: 'Ἐφ. τοὺς ἰδίους ἀγροὺς ὀπωρίζειν παρέιχε τοῖς βουλομένοις, ἐξ ὧν πολλοὺς ἐβέλπειζε. The text is apparently the authority followed by the Schol. on Aristides, iii 517 l. 30 Dind., τοὺς γὰρ φραγμοὺς ὑπανεώγων τοῖς βουλομένοις ὀπωρίζεσθαι τῶν αὐτοῦ καὶ τὴν οἰκίαν ἀριστοῦσιν αἰρεῖσθαι (?), and *ib.* p. 446 l. 18. Cf. Nepos, *Cimon* 4 § 1.

The various forms which the story of the generosity of Cimon assumed have been examined in *Mnemosyne*, ix 58.

Λακιάδων] The δημότια of Cimon, Plut. *Cim.* 4. The deme itself was also called Λακιάδαι.

τὰ μέτρια] 'moderate provision,' Xen. *Lac.* i 3, σίτος μετρίωτατος, *Mem.* ii 6, 22, τὰ μ. κεκτήσθαι, *Cyr.* v 2, 17, μετρίωτης τῶν σίτων. *Supra* 16 § 3.

ὅπως ἐξῆ] This implies that Cimon caused his fences to be pulled down in order to allow his fellow demesmen to enter his orchards. This constr. is sup-

ported by ὅπως ὀπωρίζονται in Theopompus and ὅπως ὀπωρίζωσιν in Plut. *Per.* 9. ὅπως ἐξῆν would be quite out of place here (Goodwin, *Moods and Tenses*, § 333²).

§ 4. ἐπιλειπόμενος] ἐπιλείπεσθαι in pass. c. gen., 'to fall short of,' is found in [Plat.] *Erpinomis* 978 A. ἐπιλείπειν is far more frequently used in act. in the sense of 'to fail.' In Ar. we have *Eik.* iv 3, 1121 a 34, 17, ταχὺ ἐπιλείπει αὐτοὺς τὰ ὑπάρχοντα, and there are several exx. of its intransitive use. ἀπολειπόμενος does not appear to be supported by the usage of Aristotle, as shewn in the *Index Aristotelicus*. More probable than either is ὑπολειπόμενος. Cf. *Pol.* iv (vii) 16, 1334 b 39, δεῖ οὐτε λαὸν ὑπολείπεσθαι ταῖς ἡλικίαις τὰ τέκνα τῶν πατέρων οὐτε λαὸν πᾶρεγγυς εἶναι, and i 5, 1254 b 35, εἰ τοσοῦτον γένοιτο διάφορον τὸ σῶμα δσον αἱ τῶν θεῶν ἐκόνες, τοὺς ὑπολειπομένους (inferiores) πάντες φαίεν ὧν ἀξίους εἶναι τοῦτοισι δουλεύειν.

Δαμωνίδου] Damonides is mentioned in Plut. *Per.* 9, τρέπεται πρὸς τὴν τῶν δημοσίων διανομὴν συμβουλευσάντος αὐτῷ Δαμωνίδου τοῦ Οἰήθεν ("Οαθεν Sintenis, collato Steph. Byz. s. v. "Οα: Δημωνίδου τοῦ "Οαθεν vulg.), ὡς Ἀριστοτέλης ἱστορήκε. Damon, *ib.* 4, ὁ δὲ Δάμων...τῷ Περικλεῖ συνὴν καθάπερ ἀλλοτρίῃ τῶν πολιτικῶν ἀλείπτῃ καὶ διδάσκαλος...ἀλλ' ὡς μεγάλω- φρων καὶ φιλοσόφου ἐξωστρακισθῇ, *ib.* 14, *Nic.* 6, and *Arist.* i. Plat. *Alc.* i 118 c, *Lach.* 180 D, *Rep.* 400 B, 424 c. Duncker, *G. d. A.*, ix c. 8; Busolt, ii 443; Holm, ii 345, 17.

Δάμων and Δαμωνίδης appear to be two forms of name belonging to one person (cf. Duncker, *Gesch. des Alt.* ix p. 12, n. 1). As other exx. of double names we have Κλεανδρίδης and Κλέανδρος, Φρασικλείδης and Φρασικλῆς, Εὐβουλίδης and Εὐβουλος, Τευταμίδης and Τεύταμος, Σιμυχίδης and Σίμυχοι, Μαιανδρίδης and Μαλανδρος, Θεσιπιδῆς and Θέσιπιος (Hemsterhuys on

20 ἐδόκει τῶν πολλῶν εἰσηγητῆς εἶναι τῷ Περικλεῖ, διὸ καὶ ὡστράκι-
σαν αὐτὸν ὕστερον), ἐπεὶ τοῖς ἰδίοις ἡττάτο, διδόναι τοῖς πολλοῖς
τὰ αὐτῶν, κατεσκεύασε μισθοφορὰν τοῖς δικασταῖς· ἀφ' ὧν αἰτιῶν 5
ταῖς τινες χεῖρους γενέσθαι, κληρουμένων ἐπιμελῶς αἰεὶ μᾶλλον τῶν
τυχόντων ἢ τῶν ἐπιεικῶν ἀνθρώπων. ἤρξατο δὲ μετὰ ταῦτα καὶ
25 τὸ δεκάξειν, πρώτου καταδείξαντος Ἀνύτου μετὰ τὴν ἐν Πύλῳ

20 ΠΟΛΛΩΝ (K-W, K², B): ΠΟΛΕΜΩΝ (K¹), πολιτικῶν Wyse (H-L). 22 δικα-
στηρίῳ Blass, Richards (H-L), propter χειρῶν in versu proximo positum. ἀφ' οὗ
Richards (H-L). 23 χειρῶν (K, H-L): χεῖρους Newman, Hude, K-W; τὰ πράγματα
τὰ κατὰ τὴν πολιτείαν, vel τὴν πόλιν, excidisse putant J B Mayor et Rutherford; τὰ
κατὰ τὰ δικαστήρια desiderat Bury. 25 Ἀνύτου: ΑΓΥΟΥ corr. K.

25 * Harp. δεκάξων... Ἄρ. δ' ἐν Ἀθ. πολ. Ἀνυτὸν φησι καταδείξει τὸ δεκάξειν τὰ
δικαστήρια. Bekk. An. p. 211, 31 Ἀνυτος: οὗτος πρῶτος δικαστήριον <δεκάξειν> κατέ-
δειξεν. Schol. Aeschin. i 87 ἐδέκαξεν οὖν διέφθειρεν ἀργυρίῳ τοὺς δικαστάς· ἤρξατο δὲ
τοῦ τοιοῦτου πρῶτος Ἀνυτος. Bekk. An. p. 236, 6 (= Etym. M. p. 254, 31) πρῶτος δ'
ἐδόκει δεκάσαι Μέλῃς (leg. Ἀνυτος) τὰς εὐθύνας διδοὺς τῆς ἐν Πύλῳ στρατηγίας ἣν
κακῶς ἐστρατήγησεν. Cf. Rose, 371², 409².

Lucian, *Τίμων*, p. 157), Καλλιπίδης and Κάλλιππος, Ἀγωνίδης and Ἀγων, Ἐξη-
κεσιδης and Ἐξήκεστος, Εὐφρονίδης and Εὐφρόνιος, Μεγακλείδης and Μεγακλής,
Μητσαρχίδης and Μητσαρχος, Ξανθιππίδης and Ξάνθιππος (O. Crusius in *N. Jahrb.*,
1891, pp. 385—394, 'Die Anwendung von Vollnamen und Kurznamen bei derselben
Person'). Plutarch, *Per.* 4 *in*it., tells us that certain persons said that the first
syllable of Δάμων was pronounced short.

Mr Kenyon suggests that Plutarch confused two persons, the musician Damon, son of Damonides of Oea, and the politician Damonides of Olia, and transferred to the former some of the attributes of the latter. The demonymic of the former would be Ὀαθεν; of the latter, Ολίθεν. This has also been suggested by Gomperz, *Deutsche Rundschau*, May 1891, p. 232, and is probably the best solution of the discrepancy.

εἰσηγητῆς apparently not found in Ar. Thuc. viii 48, τοὺς καλοὺς κάγαθοὺς—ποριστὰς ὄντας καὶ εἰσηγητὰς τῶν κακῶν τῷ δήμῳ. *Pol.* ii 8, 1268 b 30, εἰσηγεῖσθαι (advise, propose) νόμον λόγῳ, and vi (iv) 1, 1289a 1, τοιαύτην εἰσηγεῖσθαι τάξιν, and several times in [Ar.] *Rhet. ad Alex.* Thuc. iv 76, εἰσπομπόμενον (τινός), 'on his proposal.'

διδόναι τοῖς πολλοῖς τὰ αὐτῶν 'to offer the people what was their own'—an easy piece of liberality. In epigrammatic point this phrase is somewhat of an exception to the ordinary style of the treatise and reminds one of Aristotle's manner; but the epigram is ascribed to Damon and the writer does not necessarily

claim it as his own. 'The dry way in which the sarcastic counsel of Damonides of Oea, the Aithiophel of his time, is repeated is not unlike Aristotle' (W. L. Newman, *Class. Rev.* v 159 δ).

χεῖρους γενέσθαι] The writer is possibly referring to Plato's *Gorgias* 515 E, ταυτὶ γὰρ ἐγώ γε ἀκούω, Περιμελέα πεποιηκέναι Ἀθηναίους ἀργούς καὶ δειλοὺς καὶ ἄλῳι καὶ φιλαργύρους, εἰς μισθοφορίαν πρῶτον καταστήσαντα. Aristotle often refers to Plato in the *Politics* as *times*, e.g. in iv (vii) 7, 5, 1327 b 38 (W. L. Newman in *Class. Rev.* v 160 δ).

§ 5. δεκάξιν] Lys. 29 § 12, δεδεκασμένοι, Isocr. 8 § 50, θανάτου τῆς ζημίας ἐπικειμένης, ἐάν τις ἄλλῳ δεκάξιν, Aeschin. i § 87, μαρτυρεῖν τὸν μὲν ὡς ἐδέκαξε τὸν δὲ ὡς ἐδεκάξετο. Cf. note on Dem. 46 § 26, ἐάν τις... συνδεκάξῃ τὴν ἡλιαν in *Select Private Orations*, ii 139, ed. 1886. Plut. *Pericl.* 9 § 3, συνδεκάσας τὸ πλῆθος.

Ἀνύτου] In 409 B.C. Pylos, which had remained an Athenian post since 425, was retaken by the Lacedaemonians. The Athenians had sent to its relief 30 triremes under Anytus, who however came back without even reaching the place. On his return he was put on his trial for having betrayed the trust confided to him. Diodorus xiii 64. Plut. *Coriolanus* 14, Ἀθηναῖοι δὲ λέγεται πρῶτος ἀργύριον δοῦναι δικασταῖς Ἀνυτος δ' Ἀνθεμίῳ πρὸς ποδοσίας περὶ Πύλου κρηόμενος (Grote c. 63, v 465). He is mentioned in c. 34 § 3 as one of the leaders of the moderate section of the oligarchical party. He was afterwards notorious as one of the prosecutors of Socrates (*Anyti reus*).

στρατηγίαν. κρινόμενος γὰρ ὑπὸ τινων διὰ τὸ ἀποβαλεῖν Πύλον, δεκάσας τὸ δικαστήριον ἀπέφυγεν.

28. ἕως μὲν οὖν Περικλῆς προειστήκει τοῦ δήμου βελτίω τὰ κατὰ τὴν πολιτείαν ἦν, τελευτήσαντος δὲ Περικλέους πολὺ χείρω. πρῶτον γὰρ τότε προστάτην ἔλαβεν ὁ δῆμος οὐκ εὐδοκμοῦντα παρὰ τοῖς ἐπεικείσιν· ἐν δὲ τοῖς πρότερον χρόνοις αἰεὶ διετέλουν οἱ 5 ἐπεικεῖς δημαγωγοῦντες. ἐξ ἀρχῆς μὲν γὰρ καὶ πρῶτος ἐγένετο 5 προστάτης τοῦ δήμου Σόλων, δεύτερος δὲ Πεισίστρατος, τῶν εὐγενῶν καὶ γνωρίμων· καταλυθείσης δὲ τῆς τυραννίδος Κλεισθένης, τοῦ γένους ὦν τῶν Ἀλκμεωνιδῶν, καὶ τούτῳ μὲν οὐδεὶς ἦν ἀντιστασιώτης ὥς ἐξέπεσον οἱ περὶ τὸν Ἰσαγόραν. μετὰ δὲ ταῦτα τοῦ μὲν δήμου προειστήκει Ξάνθιππος, τῶν δὲ γνωρίμων Μιλτιάδης· 10 ἔπειτα Θεμιστοκλῆς καὶ Ἀριστείδης· μετὰ δὲ τούτους Ἐφιάλτης μὲν τοῦ δήμου, Κίμων δ' ὁ Μιλτιάδου τῶν εὐπόρων· εἰτα Περικλῆς μὲν τοῦ δήμου, Θουκυδίδης δὲ τῶν ἐτέρων, κηδεστὴς ὦν Κίμωνος.
- 3 Περικλέους δὲ τελευτήσαντος τῶν μὲν ἐπιφανῶν προειστήκει Νικίας, ὁ ἐν Σικελίᾳ τελευτήσας, τοῦ δὲ δήμου Κλέων ὁ Κλεαι- 15

XXVIII 6—7 τῶν εὐγενῶν καὶ γνωρίμων secl. K-W; τῶν εὐγενῶν <ὦν> κτλ Richards (H-L, B).

TESTIMONIA. XXVIII 15—18 *Schol. in Luciani Timonem 30 (i p. 100 ed. Bipontinae, p. 47 Jacobitz): ὁ δὲ Κλέων δημαγωγὸς ἦν Ἀθηναίων προστάς αὐτῶν ἐπτά

XXVIII. *The successors of Pericles.*

§ 1. Περικλῆς προειστήκει τοῦ δήμου] From about B.C. 450 (c. 28 § 1) till his death in the summer of 429. The writer's praise of the policy of Pericles is so briefly expressed, that it hardly arrests our attention. The text implies that the excellence of that policy was not absolute, but relative:—βελτίω, as contrasted with that of his successors, which was χείρω. The merits of Pericles are here recognised with far less generosity than in the pages of Thucydides. In the text, Pericles is the last leader of the popular party who, owing to his high birth, was acceptable even to his opponents: the decadence begins with his successor, Cleon, who had no such advantages.

πρῶτον—οὐκ εὐδοκμοῦντα] *Pol.* 1274 a 13—15, ὁ δῆμος...δημαγωγὸς ἔλαβε φαύλους ἀντιπολιτευομένους τῶν ἐπεικῶν. οἱ ἐπεικεῖς δημαγωγοῦντες] Schol. *Arist. Pax* 681, πρότερον δημαγωγοῦντων τῶν πάντων λαμπρῶν πολιτῶν.

§ 2. προστάτης τοῦ δήμου] a purely unofficial title, applied to the leader of the popular party. Cf. 2 § 2, and see Whibley's *Political Parties*, p. 51.

τῶν εὐγενῶν καὶ γνωρίμων] We must

either insert ὦν after εὐγενῶν, or understand the words to refer to Solon and Peisistratus, or remove them from the text. In any case Peisistratus, who is described as δημοτικώτατος in 13 § 4 and 14 § 1, is to be regarded as a προστάτης τοῦ δήμου and not as a προστάτης τῶν εὐγενῶν καὶ γνωρίμων. Below, τῶν γνωρίμων is contrasted with τοῦ δήμου.

ἀντιστασιώτης] *Hdt.* i 92, iv 164, v 60. Not found in *Ar.*

Θεμιστοκλῆς καὶ Ἀριστείδης] joint leaders of the popular party, c. 23 § 3.

Θουκυδίδης] son of Melesias, of Alopeke, mentioned below (§ 5) with Nicias and Theramenes. He was ostracised in 444 B.C., and it has been considered worthy of note that the writer says nothing of this fact (*Rhein. Mus.* xlv 455), but to mention it here would only impede the natural course of the narrative.

τῶν ἐτέρων] 'the opposite party,' used here, and below, to avoid the too frequent repetition of τῶν γνωρίμων, τῶν εὐπόρων, or τῶν ἐπιφανῶν.

§ 3. Νικίας—τελευτήσας] *Thuc.* vii 86 § 1.

Κλέων] Gilbert, *Beiträge*, pp. 127—146.

νέτον, δς δοκεῖ μάλιστα διαφθεῖραι τὸν δῆμον ταῖς ὁρμαῖς, καὶ πρῶτος ἐπὶ τοῦ βήματος ἀνέκραγε καὶ ἐλοιδορήσατο καὶ περιζωσάμενος ἐδημηγόρησε, τῶν ἄλλων ἐν κόσμῳ λεγόντων. εἶτα μετὰ τούτους τῶν μὲν ἐτέρων Θηραμένης ὁ Ἀγνωνος, τοῦ δὲ δήμου Κλεο-
20 φῶν ὁ λυροποιός, δς καὶ τὴν διωβελίαν ἐπόρισε πρῶτος· καὶ

16 ὈΡΜΑΙΣ, ἐκάστοτε χαρίζμενος vel aliquid eiusmodi desiderat J B Mayor. Scribendum fortasse διανομαῖς, coll. Plut. *Arist.* 24 (de demagogis post Periclem) τὸν δῆμον εἰς διανομὰς προαγαγόντες, *Per.* 9 μισθὸν διανομὰς, Aeschin. *F. L.* 76 Κλεοφῶν διεφθαρκῶς νομῇ χρημάτων τὸν δῆμον, *Eth.* 1130 b 31 ἐν ταῖς διανομαῖς τιμῆς ἢ χρημάτων, 1131 b 30 ἀπὸ χρημάτων κοινῶν ἐὰν γίγνηται ἡ διανομή, 1131 a 25. 20 ΔΙΩΒΟΛΙΑΝ.

ἐτη, δς πρῶτος δημηγορῶν ἀνέκραγεν ἐπὶ τοῦ βήματος καὶ ἐλοιδορήσατο... ἐπέστη δὲ καὶ τῇ πρὸς Δακεδαμονίου ἐιρήνῃ, ὡς Φιλόχορος καὶ Ἀριστοφάνης (Ἀριστοτέλης Hemsterhuis quem sequitur Rose, *Frag.* 368³, 406³), προσθεῖς ἀρχοντα Ἐθύνων· Ἀριστοτέλης δὲ καὶ περιζωσάμενον αὐτὸν λέγει δημηγορῆσαι, εἰς τὴν θρασύτητα αὐτοῦ ἀποσκόπτων. Schol. Aeschin. i 25 "ἐν τῇ ἀγορᾷ τῇ Σαλαμινίων ἀνάκειται ὁ Σόλων ἐντὸς τὴν χεῖρ' ἔχων": ἀνετέθη ἡ Σόλωνος εἰκὼν οὐκ ἐπὶ τῷ ἐν κόσμῳ λέγειν, ὡς φησιν Δισχίνης, ἀλλ' ἐπειδὴ οὕτω τὰ ἐλεγεία ἀπτήγγειλε. Δημοσθένης μὲντοι (*Or.* 19 § 251) νεοστὶ φησι πρὸ πεντήκοντα ἐτῶν ἀνατεθεῖσθαι ταύτην τὴν εἰκόνα. λέγεται δὲ Κλέων ὁ δημαγωγὸς παραβὰς τὸ ἐξ ἔθους σχῆμα περιζωσάμενος δημηγορῆσαι.

18 Heraclidis epitoma, 611, 6, Κλέων παραβαλὼν διέφθειρε τὸ πολίτευμα.

20—23 Locum de pecunia theoricā ad iudicium mercedem male transtulerunt interpretes antiqui. *Schol. Arist. *Vesp.* 684 τοὺς τρεῖς ὀβολούς: τὸν φόρον λέγει,

ταῖς ὁρμαῖς] hardly 'his wild undertakings' (Kenyon), or even 'his incitations' (Poste), though the latter rendering may be preferred. Better *ses emportements* (Reinach), 'his impulsive ways.' Plut. i 1012, πρῶτερος καὶ ταῖς ὁρμαῖς φύσει μαλακώτερος, *Them.* 2, ἐν ταῖς πρώταις τῆς νεότητος ὁρμαῖς. The pl. is found in *Ar. Eth.* i 13, 1102 b 21, ἐπὶ τὰναστία αἱ ὁρμαὶ τῶν ἀκρατῶν, *Magh. Mor.* i 35, 1197 b 39, ἀρετὰι φύσει ὅλον ὁρμαὶ τινες ἐν ἐκάστῳ. In contrast to Cleon, we read of Pericles (Plut. *Per.* 20) οὐ συνεχώρει ταῖς ὁρμαῖς τῶν πολιτῶν. But the use of the word in the text is curious, and it is perhaps better to propose *διανομαῖς* which would obviously refer to Cleon's raising the *μισθὸς δικαστικός* to three obols. ἐπὶ τοῦ βήματος ἀνέκραγε] Neither βῆμα nor ἀνακράζω is found in the *Index Ar.*

The Pnyx was first identified by Chandler in 1765 (*Travels in Greece*, ii 84, ed. 1825) as 'a large semicircular area or terrace, supported by stones of vast size cut into squares, nearly opposite the rock of the Areopagus, from the centre of which it is distant about a quarter of a mile to the S.W. The excavations directed by Lord Aberdeen in 1822 disclosed a projecting cubic block, hewn out of the rock, and approached on each side by steps. This was identified as the βῆμα of the Athenian orators. It

has, however, been maintained by Ulrichs (1842), Welcker (1852), E. Curtius (1862, 1868), that this block is an altar, and the semicircular area a τέμενος of Ζεὺς Ἰδαιεύς. The site of the βῆμα is placed by Curtius on the slopes of the 'Museum' hill, due S. of the Areopagus. See his *Att. Studien*, i 23—, and *Stadigeschichte*, pp. 30 and 61. See also Prof. Crow and Mr Clarke in *Papers of Amer. School*, iv 205—277.

ἀνέκραγε] Arist. *Vesp.* 596, Κλέων ὁ κεκραξιδάμας, *Eg.* 137, Κυκλοβόρου φωνὴν ἔχων.

περιζωσάμενος] 'with his cloak girt up short about him' (Kenyon), 'with his robes fastened or tucked up, as if he were engaged in some manual labour' (Poste, n). Cf. Plut. *Nic.* 9, περιεσπᾶσας τὸ ἱμάτιον (with Holden's n), and contrast *Mor.* ii 800 (of Pericles), τὴν χεῖρα συνέχει ἐντὸς τῆς περιβολῆς.

Θηραμένης] *inf.* § 5.

Κλεοφῶν ὁ λυροποιός] He is so styled by Andoc. *de Myst.* § 146; Aesch. *F. L.* § 76; and the Scholiast on Aristoph. *Thesm.* 805, *Ran.* 681 (as restored by Taylor). Cf. Suidas, s.v. φιλοτιμότεραι Κλεοφῶντος. Aelian, *Var. Hist.* xii 43, says that his father's name was unknown (Mayor). Cf. Lysias 13 §§ 8, 9, 12; 30 §§ 11—13; and *inf.* 34 § 1. For further details see Holden's *Onomasticon* to Aristophanes.

τὴν διωβελίαν] *Pol.* ii 7, 1267 b 1,

χρόνον μὲν τινα διεδίδοδοτο, μετὰ δὲ ταῦτα κατέλυσε Καλλικράτης
 Παιανιεὺς πρῶτος ὑποσχόμενος ἐπιθήσειν πρὸς τοῖν δυοῖν ὀβολοῖν 12

21 ΔΙΕΔΙΔΟΥ (B): διεδίδοδοτο Wyse, Richards, K-W, H-L (K²). ΚΑΤΕΛΥΣΕ edd.:
 κατήγγησε Whibley. 22 πρῶτον van Leeuwen.

ἀφ' ὧν ἐδίδοδοτο τὸ τριώβολον. τοῦτο δὲ ἄλλοτε ἄλλως ἐδίδοδοτο, τῶν δημαγωγῶν τὰ πλῆθη κολακεύοντων, ὡς φησιν Ἀρ. ἐν πολιτείαις (adde Schol. *Vesp.* 300, ἦν μὲν γὰρ ἀστατον τὸ τοῦ μισθοῦ ποτὲ γὰρ διωβόλου ἦν, ἐγένετο δὲ ἐπὶ Κλέωνος τριώβολον, *Vesp.* 88 ἐδίδοδοτο χρόνον μὲν τινα δύο ὀβολοί, ὕστερον δὲ Κλέων στρατηγήσας τριώβολον ἐποίησεν ἀκμάζοντος τοῦ πολέμου τοῦ πρὸς Λακεδαιμονίους). Cf. Rose, 421², 461². Ceterum Kenyon noster arbitratur schol. ad Arist. *Vesp.* 684 referre partim ad c. 62 § 1 (τὰ δικαστήρια τρεῖς ὀβολοῖς), partim fortasse ad locum tractatus nostri e fine deperditum ubi de iudiciis agitur.

21 *Zenob. vi 29 (Athous iii 151 apud K-W laudatus) ὑπὲρ τὰ Καλλικράτους infra exscriptus = *Photius et Suidas, s.v.; fere eadem habet Pseudo-Plut. *Προverbία*, 111. Cf. Boeckh II xv p. 299 Fränkel; Meineke, *Com.* IV p. 700. Macarius iv 68... ἐπὶ τῶν καθ' ὑπερβολὴν τι ποιοῦντων, ἢ ἐπὶ τῶν τοὺς πρωτεύοντας ἐν τισιν ὑπεραιρόντων.

ἡ ποσὴρία τῶν ἀνθρώπων ἀπληστον, καὶ τὸ πρῶτον μὲν ἱκανὸν διωβολία μόνον, ὅταν δ' ἤδη τοῦτ' ὃ πάτριον, αἰεὶ δέονται τοῦ πλείονος, ἔως εἰς ἀπειρον ἐλθῶσιν. This must refer to the *theoricon*, the fund for paying the price of admission to the theatre at the rate of 2 obols for each of the ordinary seats (*Dem. de Cor.* p. 234, 24, ἐν τοῖν δυοῖν ὀβολοῖν). The payment of the *theoricon* out of the treasury of the State is attributed to Pericles in Plutarch, *Pericl.* 9, ὅπ' ἐκείνου φασὶ τὸν δῆμον ἐπὶ κληρουχίας καὶ θεωρικὰ καὶ μισθὸν διανομὰς προαχθῆναι, and Ulpian on *Dem. Ol.* i *in*it. τὰ χρήματα ταῦτα τὰ δημόσια θεωρικὰ ἐποίησεν ἐξ ἀρχῆς ὁ Περικλῆς, ... βουλόμενος ἀρᾶσαι τῷ δήμῳ καὶ τοῖς πένησιν. Cf. Gilbert, i 324.

It cannot refer to the *μισθοὶ δικαστικῶς*, for it was long before the time of Cleophon that Cleon (about 428 B.C.) raised the dicast's fee to three obols: Schol. on Ar. *Plut.* 330; *Vesp.* 80, 300; *Eg.* 51, 255 (425 B.C.); *Vesp.* 607, 682, 688, 797, 1116 (423 B.C.); *Aves* 1540 (415 B.C.). Boeckh, II xv p. 326 Lamb. Probably it was originally one obol and never two. Again, it cannot be the *μισθοὶ ἐκκλησιαστικῶς* as this was introduced by Agyrrhius at the rate of one obol, increased by Heracleides to two obols, and again by Agyrrhius to three (c. 41 end).

ΔΙΕΔΙΔΟΤΟ] '(the fee) continued to be paid.' ΚΑΤΕΛΥΣΕ] either (1) 'overthrow him,' 'ousted him' (K.), 'outbid him' (Reinach); or (2) 'abolished it' (Kaibel and Kiessling, Poland and Haus-soullier). (2) is probably right; but we should have expected some notice of the subsequent restoration of the *theoricon*. This omission may, however, be only

accidental. Philochorus, ap. Harp. s.v. θεωρικόν, says that it was restored by Agyrrhius; but this is doubtful. Agyrrhius was certainly concerned with the *μισθοὶ ἐκκλησιαστικῶς* (c. 42 end).

ΚΑΛΛΙΚΡΑΤΗΣ] In Zenobius vi 29, and elsewhere (Boeckh, II xv p. 327 Lamb), we read of a proverbial phrase ὑπὲρ τὰ Καλλικράτους applied to excessive wealth by the inhabitants of Carystus in Euboea. This explanation of the proverb is quoted from Clearchus. Then follows an inaccurate reminiscence of the present passage in the following form: Ἀριστοτέλης δὲ φησιν ἐν τῇ Ἀθηναίων πολιτείᾳ Καλλικράτην τινὰ πρῶτον τῶν δικαστῶν τοὺς μισθοὺς εἰς ὑπερβολὴν αὐξήσαι, ὅθεν καὶ τὴν παροιμίαν ἐλήσθαι. Possibly the last clause, ὅθεν—ἐλήσθαι, has got displaced and should be placed at the end of the previous sentence, immediately after the mention of the proverb. The first part of the explanation will then run as follows: φησὶ Κλέαρχος ὅτι Καλλικράτης τις ἐγένετο ἐν Καρύστῳ πλουσιώτατος· εἰ ποτε οὖν ἐθαύμαζον τινα οἱ Καρύστιοι ἐπὶ πλοῦτι, ὑπερβολικῶς ἔλεγον, ὑπὲρ τὰ Καλλικράτους· ὅθεν καὶ τὴν παροιμίαν, ἐλήσθαι. In any case it is not absolutely necessary to suppose that the proverb was ever quoted in this treatise. Zenobius misunderstood the passage as referring to the pay of the dicasts, which had been increased to 3 obols about 428 B.C., whereas Cleophon, and a *fortiori* Callicrates, belongs to a much later date.

ὑΠΟΧΟΜΕΝΟΣ—ἄΛΛΟΝ ὀΒΟΛΟΝ] If the grant of the fee of two obols a head out of the theoric fund was sufficient to enable all the poorer citizens to attend the theatre, it is not easy to see what object

ἄλλον ὀβολόν. τούτων μὲν οὖν ἀμφοτέρων θάνατον κατέγνωσαν
 ὕστερον· εἴωθεν γάρ, κὰν ἐξαπατηθῇ τὸ πλῆθος, ὕστερον μισεῖν
 25 τοὺς τι προαγαγόντας ποιεῖν αὐτοὺς τῶν μὴ καλῶς ἐχόντων. ἀπὸ 4
 δὲ Κλεοφώντος ἤδη διεδέχοντο συνεχῶς τὴν δημαγωγίαν οἱ
 μάλιστα βουλόμενοι θρασύνεσθαι καὶ χαρίζεσθαι τοῖς πολλοῖς
 πρὸς τὸ παραντίκα βλέποντες. δοκοῦσι δὲ βέλτιστοι γεγενῆσθαι 5
 τῶν Ἀθήνησι πολιτευσαμένων μετὰ τοὺς ἀρχαίους Νικίας καὶ
 30 Θουκυδίδης καὶ Θηραμένης· καὶ περὶ μὲν Νικίου καὶ Θουκυδίδου
 πάντες σχεδὸν ὁμολογοῦσιν ἄνδρας γεγενῆσθαι οὐ μόνον καλοὺς
 κἀγαθοὺς ἀλλὰ καὶ πολιτικούς καὶ τῇ πόλει πάσῃ πατρικῶς χρῶ-

24 εἴωθε H-L. κὰν: ἐὰν H-L. 25 ΠΡΟ. ΔΑΓΑΓΟΝΤΑΣ. 28 τὸ Kontos,
 Gennadios (H-L, B qui το etiam in papyro invenit): τὰ K, K-W. Δε ex ΔΕΟΙ corr.
 βέλτιστοι: praestat fortasse βέλτιστα, coll. 28, 4—et 32, 10. 29 ΑΘΗΝΗΙCΙ, in titulis
 ΚΑΛΩC

semel tantum apparet anno 302 A.C. (Meisterhans, p. 114²).

32 ΠΑΤΡΙΚΩC.

28—30 * Plut. Nic. 2 (infra exscriptum).

there was in increasing it. But the *theoricon* was not confined to the *Dionysia*, it was also paid at the Panathenaea and at all the great festivals (Boeckh, II xiii p. 305 Lamb). Harpocr. s. v. θεωρικά χρήματα... ἄλλοτε μέντοι ἄλλω ὥρισθῇ τὸ δίδόμενον εἰς τε τὰς θέας καὶ εἰς τὰς θυσίας καὶ ἑορτάς, ὡς ἐστὶ δῆλον ἐκ τοῦ α' Φιλίππικῶν Δημοσθένους (i.e. Ol. i).

θάνατον] We know nothing of the death of Callicrates. That of Cleophon is well attested. In 404 B.C., not long before the establishment of the Thirty, he was condemned and put to death on the plea of having neglected his military duty; Lys. 13 § 12, πρόσθεν μὲν οὐκ ἦλθεν εἰς τὰ δῦλα ἀναπαυόμενος, τὸ δ' ἀληθὲς οὐκ ἀντίπερ ὑπὲρ ἡμῶν μὴ καθαιρεῖν τὰ τεῖχῃ. The Council, whose temper and proceedings he had denounced, illegally constituted itself part of the tribunal that tried him (ib. 30 §§ 10—14). According to Xenophon, *Hell.* i 7 § 35, Callixenus and others, who had prompted the people to put to death the generals who had neglected their duty at Arginusae, made their escape before they could be put on their trial, στάσεώς τινας γενομένης, ἐν ᾗ Κλεοφῶν ἀπέθανεν (Grote, c. 65, v 552).

μισεῖν] Ar. *Rhet.* ii 4. Similarly in Xen. *Hell.* i 7 § 35 Callixenus, the proposer of the motion against the generals who fought at Arginusae, who is there included among those who τὸν δῆμον ἐξηπάτησαν, returned on the restoration of the democracy, and μισοῦμενος ὑπὸ πάντων λιμῶ ἀπέθανεν.

Mr W. L. Newman suspects a tacit reference to the death of Socrates, cf. Diod. xiv 37, and Diog. Laert. ii 43.

§ 4. ἀπὸ δὲ Κλεοφώντος κτλ.] Isocr. *Panath.* 132 sq.

διεδέχοντο τὴν δημαγωγίαν] Schol. Arist. *Rax* 681, οὗτος ('Τέρβηλος) μετὰ τὴν τοῦ Κλέωνος δυναστείαν διεδέξατο τὴν δημαγωγίαν (Wyse).

παραντίκα] Hitherto found only in spurious writings of Ar., esp. in the *De Plantis* and in the *Rhet. ad Alexandrum* (Eucken, *Sprachgebrauch des Ar., Prae-positionen*, p. 62, quoted in *Class. Rev.* v 160 a). It occurs (without the article) in Thuc. viii 48, 3 and iv 76, 5.

§ 5. δοκοῦσι—βέλτιστοι γεγενῆσθαι τῶν... πολιτευσαμένων] This is somewhat carelessly paraphrased in Plut. *Nic.* 2, ἐπεὶ οὖν περὶ Νικίου πρῶτον εἰπεῖν δ' ἔγραψεν Ἀριστοτέλης, οὗ τρεῖς ἐγένοντο βέλτιστοι τῶν πολιτῶν καὶ πατρικὴν ἔχοντες εὐνοίαν καὶ φιλίαν πρὸς τὸν δῆμον, Νικίας δὲ Νικηράτου καὶ Θουκυδίδης δὲ Μελεσίτου καὶ Θηραμένης δὲ Ἀγνώου. The text describes the three as *reputed* to be the best *politicians*: Plutarch describes them as actually being the best *citizens*. The text describes Nicias and Thucydides as ruling the State in a paternal spirit; Plutarch ascribes to them a hereditary affection for it. βέλτιστοι here has a political sense; cf. οἱ ἐπικεῖς in § 1, and καλοὺς κἀγαθοὺς in § 5; and see Holm, *Gr. Gesch.* ii 583.

πατρικῶς] 'paternally'; not 'they acted in all their public life in a manner worthy of their ancestry' (Kenyon), but

μένους, περὶ δὲ Θηραμένους διὰ τὸ συμβῆναι κατ' αὐτὸν παρα-
χώδεις <εἶναι> τὰς πολιτείας ἀμφισβήτησις τῆς κρίσεώς ἐστι.
δοκεῖ μὲν<τοι> τοῖς μὴ παρέργως ἀποφαινόμενοις οὐχ ὥσπερ 35
αὐτὸν διαβάλλουσι πάσας τὰς πολιτείας καταλύειν, ἀλλὰ πάσας
προάγειν ἕως μηδὲν παρανομοῖεν, ὡς δυνάμενος πολιτεύεσθαι κατὰ
πάσας, ὅπερ ἐστὶν ἀγαθοῦ πολίτου ἔργον, παρανομούσαις δὲ οὐ
συγχωρῶν ἀλλ' ἀπεχθανόμενος.

29. ἕως μὲν οὖν ἰσόρροπα τὰ πράγματα κατὰ τὸν πόλεμον
ἦν, διεφ[ύλαττον] τὴν δημοκρατίαν. ἐπεὶ δὲ μετὰ τὴν ἐν Σικελίᾳ
γενομένην συμφορὰν ἰσχυρότερα τὰ τῶν Λακεδαιμονίων ἐγένετο
διὰ τὴν πρὸς βασιλείᾳ συμμαχίαν, ἠναγκάσθησαν κ[ινήσα]ντες

34 <εἶναι> τὰς πολιτείας K-W: τὰς πολιτείας <εἶναι> Richards (H-L). 35 M(EN)-
TOICMH: μέντοι τοῖς μὴ K (H-L); μέντοι μὴ K-W; δὲ τοῖς μὴ B. 38 fortasse aut
ἐργον secludendum aut ἔργον ἀγαθοῦ πολίτου scribendum putat B.

XXIX 1 πράγματα secl. H-L. 3 Δ(ΙΔ)ΦΟΡΑΝ: συμφορὰν Richards, K-W (e
Schol. Ar. Lys. 421), H-L (K², B). ΙΣΧΥΡΟΤΑΤΑ (K): ἰσχυρότερα J B Mayor, Blass,
K-W, H-L. 4 με[ταβαλό]ντες K; με[ταβαλό]ντες Hultsch (H-L); κ[ινήσα]ντες
K-W et B, qui in parvo recte legunt ΚΕ....ΝΤΕC (= κεινήσαντες).

TESTIMONIA. XXX 3 v. notam proximam.

'they ruled the state as a father rules his household' (Poste). *Pol.* viii (v) 11, 1315 a 21, (δεῖ) τὰς κολάσεις πατρικῶς φαίνεσθαι ποιούμενον.

Similarly Aristides ii 161 Dind. (quoted by Mr Wyse, *Class. Rev.* v 275 a) describes Pericles as, in certain respects, ἐν πατρὶς ὡν τάξει τῷ δήμῳ.

Cf. *Pol.* iii 14, 1285 a 19 (βασιλείᾳ) καὶ κατὰ νόμον καὶ πατρικῶς. i 2, 1253 b 10 and 12, 1259 a 38, (οἰκονομία) πατρικῶς.

Δοκεῖ μὲντοι—ἀπεχθανόμενος] This eulogy of Theramenes is all the more welcome as the traditional opinion respecting him is that he was not much better than an Opportunist. His nickname, ὁ κόθορνος, is notorious. He is one of those who have been suggested as the politician referred to in *Pol.* vi (iv) 11, 1296 a 38, εἰς γὰρ ἀπὴρ συνεπέσθη μόνος τῶν πρότερον ἐφ' ἡγεμονίᾳ γενομένων ταύτην ἀποδοῦναι τὴν τάξιν (sc. τὴν μέσσην πολιτείαν). See Newman's *Politics*, i p. 470. But it seems more probable that Solon is meant (cf. Susemihl's note 1303).

μὴ παρέργως] *Pol.* (vii) 11, 1330 b 11, ἐπιμελείαν τινος ἔχειν μὴ παρέργως. ἀποφαινόμενοις] *Pol.* i ad fin. πρῶτον ἐπισκεψάμεθα περὶ τῶν ἀποφνημαζέμενων περὶ τῆς ἀρίστης πολιτείας. vi (iv) 1, 1288 b 35, οἱ πλείστοι τῶν ἀποφαινόμενων περὶ πολιτείας. (vii) 14, 1333 b 12, ἀπεφώνησαντο

τὴν αὐτὴν δόξαν. *Rhet.* ii 21, 1395 a 7, βλάβει ἀποφαινόμενοι.

διαβάλλουσι] Critias is one of those referred to, *Xen. Hell.* ii 3, 30. Cf. *Lys.* 12 § 78 (Newman).

παρανομοῦσαις οὐ συγχωρῶν] See Meineke's notes in *Frag. Com. Gr.* ii 867 and 1165, where he quotes Hesych. τῶν τριῶν ἐν: Θηραμένης ἐψηφίσατο τρεῖς τιμωρίας κατὰ τῶν παρανομῶν τι δρώντων. The text dwells on the kindly feeling of Theramenes towards the whole city: we may contrast with this *Lys.* 13 § 10 (Newman).

XXIX—XXXIII. *The Revolution of the Four Hundred.*

XXIX § 1. ἰσόρροπα] Compare *Eth.* 9, 1, 1164 b 4, τιμὴ τε ἰσόρροπος οὐκ ἂν γένοιτο, *De Part. Anim.* iv 12, 695 a 12, ἰσόρροπος δὲ τοῦ βάρους. *Thuc.* i 105, 6, μάχης γενομένης ἰσόρροπος.

μετὰ τὴν ἐν Σικελίᾳ—συμφορὰν] *Thuc.* viii 24, 5, μετὰ τὴν Σικελικὴν συμφορὰν (ib. vii 85—87). *Dem. Lept.* 42, *Isocr.* 16 § 15.

βασιλείᾳ] After the Persian wars βασιλεύς, without the article, is the ordinary designation of the king of Persia (e.g. *Hdt.* vii 174, *Thuc.* viii 36). ὁ βασιλεὺς is found in this sense in *Hdt.* i 132, 137 (L and S).

συμμαχίαν] in allusion to the successive treaties with Tissaphernes on behalf

- 5 τὴν δημοκρατίαν καταστήσαι τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν, εἰπόμενος τὸν μὲν πρὸ τοῦ ψηφίσματος λόγον Μηλοβίου, τὴν δὲ γνώμην γράψαντος Πυθοδώρου τοῦ Ἐπιζήλου, μάλιστα δὲ συμπεισθέντων τῶν πολλῶν διὰ τὸ νομίζειν βασιλέα [μᾶλλον] ἑαυτοῖς συμπολεμήσειν ἂν δι' ὀλίγων ποιήσονται τὴν πολιτείαν. ||
- 10 ἦν δὲ τὸ ψήφισμα τοῦ Πυθοδώρου τοιούδε· τὸν δῆμον ἐλέσθαι 2 [Col. 12.

7 [Πολυζήλου] Poland coll. Diog. Laert. ix 8, 5 Πυθόδωρος Πολυζήλου, εἰς τῶν τετρακοσίων (H-L, K²); [Ἐπιζήλου] K-W (B) coll. *Athen. Mittheil.* xiv 398: spatium septem octove litterarum capax, ut nomen utrumque scribi potuerit τοῦ γ πολυ ἐπιζήλου. 8 μάλλον J B Mayor (K-W, K², B) quod confirmat Thuc. viii 48, 1; ὁ ἄνθρωπος H-L; μάλλον Marchant. [ἄσμενος] K¹, vel propter hiatum suspectum, etiam papyri scripturae evanidae minus congruere confitetur K.

10—14 Schol. Arist. *Lys.* 421: πρόβουλοι δὲ πρὸς τοῖς δέκα (τοῖσδε Schol., τοῖς ὁδοι Suid., correxit Schoell) ἡρέθησαν ἄλλοι κ', εἰσηγησόμενοι τὰ δοκοῦντα βέλτεστα (om. Puteanus) τῇ πολιτείᾳ (τῇ πόλει Puteanus) μετὰ τὴν ἐν τῇ Σικελίᾳ συμφορὰν (cf. v. 3).

of Persia. For the first of these, see Thuc. viii 18: for the second, *ib.* 37; for the third, *ib.* 58 (Grote c. 62, v pp. 330, 346, 373). See also Andoc. 2 § 11—17.

τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν] Thuc. viii 54—97, esp. 67.

πρὸ] either 'in favour of' (Reinach), like ὑπέρ; or 'previous to' (Kenyon). Poste vaguely renders: 'the orator who prepared the public mind for the change.' But, unless sufficient authority can be found for either use of πρὸ in such a context, it may be safer to accept περί, proposed by Mr Wyse.

Μηλοβίου] almost certainly identical with the Melobius who was afterwards one of the Thirty and who joined in the attack on Lysias and his brother Polemarchus, *Lysias* 12 § 12.

Πυθοδώρου] Pythodorus is the name of the archon in whose year of office the Peloponnesian war began (Thuc. ii 2, 1). It is also the name of a στρατηγός (a son of Isolochus) in B.C. 426/5 etc, Thuc. iii 115, 1, 3; iv 2, 1, and 65, 3, who is described in Plat. *Parm.* 126—130 as entertaining Parmenides and Zeno (*Alc.* i 119 A): this Pythodorus had among his friends one Aristoteles τὸν τῶν τριάκοντα γινόμενον (*Parm.* 127 D): it was hence inferred by Bergk (*Comment. de rel. Com. ant.*, p. 100) that he was identical with the archon of B.C. 404—3. The name of Pythodorus was also borne by a representative of Athens in the treaty of B.C. 421 (Thuc. v 19 and 24). A Πυθόδωρος Ἀλαϊεύς was first ταμίης τῆς θεοῦ in B.C. 418/7 (CIA i 157). The date of the

Pythodorus of Thuc. vi 105 (B.C. 414/3) makes it likely that he was identical with the Pythodorus who is mentioned in the text. This Pythodorus, the archon of B.C. 404/3, is identified as the prosecutor of Protagoras, Πυθόδωρος Πολυζήλου, εἰς τῶν τετρακοσίων (Diog. Laert. ix 8, 54). But the name of his father was not Πολυζήλος but Ἐπιζήλος. In an inscription ascribed to the early part of the fourth century Πυθόδωρος Ἐπιζήλου ἐχορήγει (CIA ii 1250); and a pre-Euclidean inscr. at Eleusis bears the name of a Ἰεπαρχος who was son of Ἐπιζήλος. The confusion between Ἐπιζήλος and Πολυζήλος is paralleled by the corruption of the Ἐπιζήλος of Hdt. vi 117 into the Πολυζήλος of Diog. Laert. i 2, 56 and elsewhere. Cf. *Athen. Mittheil.* xiv 398.

συμπεισθέντων—πολιτείαν] In Thuc. viii 48, 1, Alcibiades assures the Athenian officers who had crossed over to the mainland from Samos, Τισσαφέρην μὲν πρῶτον, ἔπειτα δὲ καὶ βασιλέα φίλων ποιήσειν, εἰ μὴ δημοκρατοῦντο (οὕτω γὰρ ἂν πιστεῦσαι μᾶλλον βασιλέα). *ib.* 53 § 2, Peisander asks each of his opponents at Athens εἰ τινα ἐλπίδα ἔχει σωτηρίας... εἰ μὴ τις πείσει βασιλέα μεταστῆναι παρὰ σφάς. On their replying in the negative he says plainly (§ 3) that they cannot hope for any deliverance εἰ μὴ πολιτεύσομεν τε σωφρονέστερον καὶ ἐς ὀλίγους μᾶλλον τὰς ἀρχὰς ποιήσομεν, ἵνα πιστεύῃ ἡμῖν βασιλεὺς. *Pol.* viii (v) 4, 1304 b 12, (of the 400) τὸν δῆμον ἐξηπάτησαν φάσκοντες τὸν βασιλέα χρήματα παρέξειν πρὸς τὸν πόλεμον κτλ.

μετὰ τῶν προὔπαρχόντων δέκα προβούλων ἄλλους εἴκοσι ἐκ τῶν
 ὑπὲρ τετταράκοιντα ἔτη γεγονότων, οἵτινες, ὁμόσαντες ἢ μὴν
 συγγράψειν ἂν ἡγῶνται βέλτιστα εἶναι τῇ πόλει, συγγράψουσι
 περὶ τῆς σωτηρίας· ἐξεῖναι δὲ καὶ τῶν ἄλλων τῷ βουλομένῳ
 3 γράφειν, ἵν' ἐξ ἀπάντων αἵρωνται τὸ ἀριστον. Κλειτοφῶν δὲ τὰ 15
 μὲν ἄλλα καθάπερ Πυθόδορος εἶπεν, προσαναζητῆσαι δὲ τοὺς
 αἰρεθέντας ἔγραψεν καὶ τοὺς πατρίους νόμους οὓς Κλεισθένης
 ἔθηκεν ὅτε καθίστη τὴν δημοκρατίαν, ὅπως <ἀν> ἀκούσαντες καὶ

13 συγγράψουσι: συμβουλευσούσι Rutherford (H-L).

17 ἔγραψε H-L.

18 ὡπωσ—ΒΟΥΛΕΥΣΑΝΤΑΙ (K): ὅπως—βουλεύσανται H-L; ὅπως ἀν—βουλεύσανται K-W. Cf. v. 24, c. 30, 20, et Meisterhans, p. 212².

§ 2. τῶν—δέκα προβούλων] Thuc. viii 1 § 3, (ἐδόκει) ἀρχὴν τινα πρεσβυτέρων ἀνδρῶν ἐλθεῖναι, οἵτινες περὶ τῶν παρόντων ὥς ἂν καιρὸς ᾗ προβουλεύσουσι. Cf. Grote, c. 61, v 318—9. This passage confirms Grote's observation that this 'Board was doubtless merged in the Oligarchy of Four Hundred.' Hermann, *Staatsalt.* § 165, 10 and 11; Curtius, ii 690⁸ n. 162 (Germ. ed.). Hagnon, the adoptive father of Theramenes, is described as one of the πρόβουλοι in Lysias 12 § 65, and as joining Theramenes in favouring the establishment of the 400. It is implied in Ar. *Rhet.* iii 18, 2 that all of the πρόβουλοι lent their countenance to the change in the constitutional government of Athens (Grote c. 62, v 379 n). Cf. Isocr. *Areop.* 58; *Pol.* 1299 b 30—38.

The ten πρόβουλοι of the present passage are identical with the ten ἐγγραφεῖς of Thuc. viii 67, τὸν δῆμον ἐυλλέξαντες εἶπον γνώμην δέκα ἀνδρας ἐλθεῖναι ἐγγραφεῖς αὐτοκράτορας, τοὺτους δὲ ἐγγράψαντας γνώμην ἐσενεγκεῖν ἐς τὸν δῆμον ἐς ἡμέραν ῥητὴν καθ' ἧς τι ἀριστα ἢ πόλις οἰκῆσεται.

In Bekker's *Anecd.* p. 301, 13, no number is given, but Harpocration, s.v. συγγραφεῖς, describes that body as numbering 30, and Suidas, s.v. πρόβουλοι, speaks of 20 being elected in addition to the 10 πρόβουλοι to form a body of 30 συγγραφεῖς. Hence in the above passage of Thuc. it has been suggested by C. F. Hermann, *Staatsalt.* 165, 11, to alter δέκα into τριάκοντα. The historian's account is correct so far as it goes, but is less minute than that in the text, which has been followed by Harpocration and Suidas.

Cf. Schol. on Aristoph. *Lysistr.* 421, πρόβουλοι δὲ πρὸς τοῖς δέκα (τοῖσδε schol., τοῖς οὖσι Suidas; correxit Schoell) ἡρέθησαν ἄλλοι κ', εἰσηγησόμενοι τὰ δοκοῦντα

βέλτιστα τῇ πολιτείᾳ μετὰ τὴν ἐν τῇ Σκελίᾳ συμφόρᾳ.

The account in the text is in accordance with the statement of Androtion (probably written before it) and of Philochorus (certainly written after it), as recorded by Harpocration s.v. συγγραφεῖς: ἦσαν δὲ οἱ μὲν πάντες συγγραφεῖς τριάκοντα οἱ τότε αἰρεθέντες, καθὰ φησιν Ἀνδρῳτίων τε καὶ Φιλόχορος, ἐκότες ἐν τῇ Ἀττικῇ· ὁ δὲ Θεουκλίδης τῶν ἱερωμένων μόνων τῶν προβούλων. Cf. (with Wyse) Schol. *Lysistr.* 609, τοῖς κ' τοῖς ἐκ τῆς συναρχίας, and Harpocr. s. v. Ἀπόλλης· εἰς τῶν συγγραφεῶν δὲ Πλάτων κωμῶει ἐν Σοφισταῖς (where Cobet inserts ' after τῶν, following Thuc. l. c.).

§ 3. Κλειτοφῶν] mentioned with Theramenes as a 'pupil' of Euripides, in Arist. *Ran.* 967, οὐμοὶ δὲ (μαθηταὶ εἰς) Κλειτοφῶν τε καὶ Θηραμένης ὁ κομψός. Identified by Holden (*Onomasticon Arist.*) with Cleitophon, son of Aristonymus, who gives the title to one of Plato's dialogues and is mentioned with Thrasymachus in *Rep.* 328 B (where Stallbaum does not identify them). He is named, with Cleon, as φαῖλος in Plut. *Mor.* 805, but this is probably a mistake for Cleophon.

τὰ μὲν ἄλλα καθάπερ...εἶπεν...δὲ] This is the regular formula for introducing an amendment to a proposed decree. As examples before the archonship of Euclidean we have CIA I (l. 28), 18, 38, 41, 52², 54, 55, 85, 95, 119, 131, 135 (?), 138, 146, 163, 186 (Hartel, *Studien über Attisches Staatsrecht*, p. 221). Swoboda, *Gr. Volksbeschlüsse*, p. 14, shews that amendments are not often found except in Athenian inscriptions. Plato refers to the customary formula in *Gorg.* 451 B, εἰπομεν' ἂν ὥστερ οἱ ἐν τῷ δήμῳ συγγραφόμενοι, ὅτι τὰ μὲν ἄλλα καθάπερ ἡ ἀριμετητικὴ ἢ λογιστικὴ ἔχει.

Κλεισθένης] cc. 21, 22.

τούτων βουλευσονται τὸ ἄριστον, ὡς οὐ δημοτικὴν ἀλλὰ παρα-
 10 πλησίαν οὖσαν τὴν Κλεισθένους πολιτείαν τῇ Σόλωνος. οἱ δ' 4
 αἰρεθέντες πρῶτον μὲν ἔγραψαν ἐπάναγκες εἶναι τοὺς πρυτάνεις
 ἅπαντα τὰ λεγόμενα περὶ τῆς σωτηρίας ἐπιψηφίζειν, ἔπειτα τὰς
 τῶν παρανόμων γραφὰς καὶ τὰς εἰσαγγελίας καὶ τὰς προσκλήσεις
 ἀνεῖλον, ὅπως ἂν οἱ ἐθέλοντες Ἀθηναίων συμβουλευέωσι περὶ τῶν
 15 προκειμένων· ἐὰν δέ τις τούτων χάριν ἢ ζημιοὶ ἢ προσκαλῆται ἢ

23 ΠΡΟΚΛΗΣΕΙΣ: corr. Wyse, Blass (κ-ω, η-λ, κ²).
 corr. K.

25—26 ΗΕΙΣΑΓΓΗΜΕΙΣ:

ὡς οὐ—Σόλωνος. ISOCR., *Attop.* § 16, implies (like Cleitophon) that the constitution of Cleisthenes was identical with, or closely similar to, that of Solon. The text, while correcting the view of Cleitophon, is also a tacit correction of that of Isocr. (*Class. Rev.* v 161 a). For ὡς c. acc. of the participle, cf. c. 7 § 4 ὡς—σημαίνουσιν.

For the view that the constitution of Cleisthenes was not democratic, cf. Plut. *Cim.* 15, τοῦ Κίμωνος...πειωμένου ἂν τὰς δίκας ἀνακαλεῖσθαι καὶ τὴν ἐπὶ Κλεισθένους ἐγείρειν ἀριστοκρατίαν.

§ 4. πρῶτον μὲν ἔγραψαν—ζημιώσαι. We here find stated in full detail what is briefly summarised in Thuc. viii 67, ἐσήμεσαν οἱ ἐγγυραφῆς ἄλλο μὲν οὐδὲν, αὐτὸ δὲ τοῦτο, ἐξεῖναι μὲν ἀζήμων εἶπειν (so Classsen, following Wilamowitz in *Hermes*, xii 336 n. 17: Ἀθηναίων ἀνείπειν οἱ ἀνατρέπειν, MSS; Ἀθηναῖος Suidas; Ἀθηναῖοι ed. Dr. Stahl ed. 1874: ἀνατρεῖ εἶπειν ed. 1883, following Sauppe. The text is in favour of the restoration of Ἀθηναίων or some similar word, instead of accepting the conjecture of Wilamowitz. Ἀθηναίων τοῖς ἐθέλουσιν εἶπειν would make good sense, but would involve too great a departure from the MSS) γνώμων ἢ ἂν τις βούληται ἢ δὲ τις τὸν εἰπόντα ἢ γράφῃται παρανόμων ἢ ἄλλω τῷ τρόπῳ βλάβῃ μεγάλης ζημίας ἐπέθεσαν.

τοὺς πρυτάνεις—ἐπιψηφίζειν] c. 43. The members of the tribe presiding for the time being were thus compelled to put every proposition to the vote, undeterred by any risk of penalties falling on the proposer or themselves.

τὰς τῶν παρανόμων γραφὰς] The γραφὴ παρανόμων having become recognised as one of the safeguards of the democratic constitution, it was necessary to repeal it before any revolutionary changes could be introduced. Dem. *Timocr.* 24 § 154, ἀκούω...καταλυθῆναι

τὴν δημοκρατίαν, παρανόμων πρῶτον γραφῶν καταλυθεῖσιν καὶ τῶν δικαστηρίων ἀκύρων γενομένων. Aeschin. 3 § 121, τῆρκαῦτα ὁ δῆμος κατελύθη, ἐπειδὴ τινες τὰς γραφὰς τῶν παρανόμων ἀνείλον (*Att. Process*, p. 428—437 Lipsius; Hager in *Smith's Dict. Ant.* s. v.).

εἰσαγγελλίας] various forms of denunciation, applied to three kinds of legal causes: (1) κατὰ καινῶν καὶ ἀγράφων ἀδικημάτων (Caecilius, in *Lex. Rhel. Cant.* p. 667, possibly referring to the times before Euclides, see 8 § 4); (2) wrongs done to orphans, heiresses and widows; (3) complaints against διατηρητὰ (c. 53 § 6). See Hager in *Dict. Ant.* s. v.; *Att. Proc.* 312 f. Lips.

προσκλήσεις] inf. προσκαλῆται. Legal forms of summons to the defendant. *Att. Process*, p. 770—2. In the MS προσκλήσεις ('challenges') is a mistake for προσκλήσεις. Similarly in Plat. *Leg.* 936 e, and Dem. c. *Aphob.* iii § 20, προκαλεῖσθαι has been wrongly suggested instead of προσ- (*Att. Process*, p. 884).

οἱ ἐθέλοντες] 'Notetur usus verbi ἐθέλειν pro βοῦλεσθαι, qui per haec decreta (etiam c. 30) obtinet, ad imitationem veteris linguae, qua vel Solo (c. 35 § 2; Dem. 46 § 14) vel Clisthenes usus erat' (Blass).

τούτων χάριν] i.e. for making any proposal which he thought fit.

ζημιόω...προσκαλῆται...εἰσαγγελλῆ] In all three cases the present here has a tentative sense. ζημιόω implies an attempt to get the speaker fined either by means of a γραφὴ παρανόμων, or an εἰσαγγελία. προσκαλῆται refers to the above-mentioned προσκλήσεις. εἰσαγγελλῆ to the fact that, under the first of the three varieties of εἰσαγγελία, the βουλή might hand the defendant over for trial by a court, instead of fining him. Cf. *Att. Proc.* p. 45 Lips.

εἰσάγη εἰς δικαστήριον, ἔνδειξιν αὐτοῦ εἶναι καὶ ἀπαγωγὴν πρὸς τοὺς στρατηγούς, τοὺς δὲ στρατηγοὺς παραδοῦναι τοῖς ἔνδεκα 5 θανάτῳ ζημιῶσαι. μετὰ δὲ ταῦτα τὴν πολιτείαν διέταξαν τόνδε <τὸν> τρόπον· τὰ μὲν χρήματα <τὰ> προσιόντα μὴ ἐξείναι ἄλλοσε δαπανῆσαι ἢ εἰς τὸν πόλεμον, τὰς δ' ἀρχὰς ἀμίσθους 30 ἄρχειν ἀπάσας ἕως ἂν ὁ πόλεμος ᾗ, πλὴν τῶν ἐννέα ἀρχόντων καὶ τῶν πρυτανέων οἱ ἂν ὥσιν· τούτους δὲ φέρειν τρεῖς ὀβολοὺς ἕκαστον τῆς ἡμέρας. τὴν δ' ἄλλην πολιτείαν ἐπιτρέψαι πᾶσαν Ἀθηναίων τοῖς δυνατωτάτοις καὶ τοῖς σώμασιν καὶ τοῖς χρήμασιν λητουργεῖν μὴ ἔλαττον ἢ πεντακισχιλίοις, ἕως ἂν ὁ πόλεμος ᾗ· 35 κυρίου δ' εἶναι τούτους καὶ συνθήκας συντίθεσθαι πρὸς οὓς ἂν

26 εἰς τὸ H-L. 29 <τὸν> cf. c. 7 v. 8. <τὰ> add. K (K-W): χρήματα del. Richards (H-L). 33 ΠΑCIN (K): πᾶσαν J B Mayor, Newman, K-W, H-L, B.

ΩΝ

34 σώμασι—χρήμασι H-L. 35 ΠΕΝΤΑΚΙCΧΙΛΙΟΙC. Corrector aut ἢ non viderat aut delere neglexerat; illud existimat K (ἢ πεντακισχιλίοις, H-L et B), hoc K-W (πεντακισχιλίων).

δικαστήριον] articulo 'non opus in sententia condicionali' (Blass).

ἔνδειξιν...ἀπαγωγὴν] In neither of these forms of procedure was there any summons: hence they were suited to the present emergency, in which προσκλήσεις had been abolished. ἀπαγωγή was a summary process, resorted to in certain cases of theft, but also applicable to murderers and adulterers, and to robbers of temples. ἔνδειξις was a charge in writing handed over by the prosecutor to the proper authority, who was bound to arrest or hold to bail the person criminated. It was directed against state-debtors, and others who exercised rights while labouring under a disqualification (*Dict. Ant. s. v.*). The text shews that, under the Four Hundred, these forms of procedure were arbitrarily extended to the case of those who attempted to resort to the ordinary legal remedies at a time when they were in abeyance. Cf. *Att. Proc.* pp. 270—280 Lips.

πρὸς τοὺς στρατηγοὺς] In normal cases of ἀπαγωγή the delinquent was immediately brought before the *Eleven*; in those of ἔνδειξις, generally before the *Thesmothetæ*. The Four Hundred departed from those principles in providing that the offender should appear before the *στρατηγοί*, whose jurisdiction was usually limited to military matters. Such a provision may be illustrated by our

modern declaration of martial law in cases of emergency.

§ 5. τὰ μὲν χρήματα κτλ.] Thuc. viii 65, 3, λόγος τε ἐκ τοῦ φανεροῦ προσεληγαστο αὐτοῖς ὡς οὔτε μισθοφορητέον εἴη ἄλλους ἢ τοὺς στρατευομένους, οὔτε μεβεκτέον τῶν πραγμάτων πλεόνων ἢ πεντακισχιλίοις, καὶ τοῖς οἱ ἂν μάλιστα τοῖς τε χρήμασι καὶ τοῖς σώμασιν ὠφελεῖν οἱόι τε ὦσιν, and 67, 3, ἐνταῦθα δὴ λαμπρῶς ἐλέγγο ἤδη μῆτε ἀρχὴν ἄρχειν μηδεμίαν ἐτι ἐκ τοῦ αὐτοῦ κόσμου μῆτε μισθοφορεῖν, προέδρους τε ἐλέσθαι πέντε ἄνδρας, τούτους δὲ ἐλέσθαι ἑκατὸν ἄνδρας, καὶ τῶν ἑκατὸν ἕκαστον πρὸς ἑαυτὸν τρεῖς· ἐλθόντας δὲ αὐτοὺς τετρακοσίους ὄντας ἐς τὸ βουλευτήριον ἄρχειν ὅπῃ ἂν ἀριστα γιγνώσκωσιν αὐτοκράτορας. καὶ τοὺς πεντακισχιλίους δὲ ξυλλέγειν ὅπταν αὐτοῖς δοκῇ. Lys. 20 §§ 13, 16; 30 § 8.

τοῖς δυνατωτάτοις κτλ.] The language is almost technical. Cf. (besides Thuc. viii 47, 48, οἱ δυνατωτάτοι, 63, δυνατοὺς and 65, already quoted) Xen. *Hierarch.* i § 9, τοὺς μὲν τῶν ἐκπύας...καθίσταται δὲ κατὰ τὸν νόμον τοὺς δυνατωτάτους καὶ χρήμασι καὶ σώμασιν. Also CIG 1845, 44 (inscr. from Corcyra), ἐλέσθαι δὲ τὰν βουλὰν τοὺς χειροῦντας τὸ ἀργύριον ἄνδρας τρεῖς εἰς ἐνιαυτὸν τοὺς δυνατωτάτους χρήμασι (Gilbert ii 320), and the phrase ἀσθενῆς χρήμασι (Wyse).

σώμασιν...λητουργεῖν] Dem. c. *Mid.* 165, λ. τοῖς σώμασι.

37 ἐθέλωσιν· ἐλέσθαι δ' ἐκ τῆς φυλῆς ἐκάστης δέκα ἄνδρας ὑπὲρ τετταράκοντα ἔτη γεγονότας, οἵτινες καταλέξουσιν τοὺς πεντακισχιλίους ὁμόσαντες καθ' ἱερῶν τελείων.

30. οἱ μὲν οὖν αἰρεθέντες ταῦτα συνέγραψαν. κυρωθέντων δὲ τούτων εἶλοντο σφῶν αὐτῶν οἱ πεντακισχιλίοι τοὺς ἀναγράφοντας τὴν πολιτείαν ἑκατὸν ἄνδρας. οἱ δ' αἰρεθέντες ἀνέγραψαν καὶ ἐξήνεγκαν τάδε. βουλευεῖν μὲν κατ' ἐνιαυτὸν τοὺς ὑπὲρ τριάκοντα 2
5 ἔτη γεγονότας ἄνευ μισθοφορᾶς· τούτων δ' εἶναι τοὺς στρατηγούς

37 δὲ καὶ K, K-W: δ' ἐκ (confusis a librario κ et κ') H-L, B.

[ἐλέσθαι...τῆς φυλῆς ἐκάστης δέκα κτλ.] These were the καταλογεῖς appointed to enroll the 5,000 persons to whom the franchise was conceded by the Four Hundred. One of them was Polystratus who is defended in a speech ascribed to Lysias, *Or.* 20, on the 'charge of seeking to abolish the Democracy.' He claims credit for having placed as many as 9,000 on the roll: § 13, ὅμῶν ψηφισαμένων πεντακισχίλοις παραδοῖναι τὰ πράγματα καταλογεῖς ὡς ἑντακισχιλίους κατέλεξεν. He served for eight days only, shortly before the overthrow of the Four Hundred (§ 14), who in the last resort found themselves compelled to take steps towards enrolling the 5,000. In § 2 it is said of Polystratus: πρέθῃ ὑπὸ τῶν φυλετῶν. This is explained by the text, in which ten καταλογεῖς are described as elected by each of the tribes. It was supposed by Grote c. 62, v 413, that Polystratus had the sole responsibility of drawing up the list. It is now clear that he was one of a hundred persons charged with this duty.

ὁμόσαντες καθ' ἱερῶν τελείων] cf. Thuc. v 47, 10, ὁμνόντων δὲ τὸν ἐπιχώριον ὄρκον ἕκαστοι (the Athenians on the one part, and the Argives, Mantineans, Eleans and their allies on the other part) τὸν μέγιστον κατὰ ἱερῶν τελείων. Müller, *Handbuch*, v 3, 104. *supra* c. 1.

XXX § 1. κυρωθέντων] Cf. 32 l. 2, ἐκυρωθέντων. The use of the two words in connexion with ψηφίσματα is discussed by Hartel, *Studien*, p. 207 ff., and Swoboda, *Gr. Volksbeschlüsse*, p. 18 ff. The latter has collected a large number of examples from inscriptions (Wyse).

εἶλοντο σφῶν αὐτῶν οἱ πεντακισχιλίοι τοὺς ἀναγράφοντας] Here, and in c. 32 § 1, the existence of the 5,000 is assumed; whereas in 32 § 5 we are told that the 5,000 λόγω μόνον πρέθησαν. The latter statement is in accordance with

Thuc. viii 92, 11, οἱ τετρακόσιοι...ὅρκηθελον τοὺς πεντακισχιλίους ὅτε εἶναι ὅτε μὴ ὅτας δήλους εἶναι. In c. 67 *ad fin.* it had been proposed by Peisander τοὺς πεντακισχιλίους ξυλλέγειν ὅποτε αὐτοῖς δοκῇ, and this proposal was ratified by the ἐκκλησία in 69 § 1. Mr Kenyon suggests that 'all who could bear arms were provisionally entitled the Five Thousand until a body of that exact number had been drawn up by the board of 100 which was to be appointed for that purpose.' On the fall of the Four Hundred, the government was transferred to a body called the Five Thousand, consisting of all who could furnish arms (Thuc. viii 97, 1). Like the present, this would really be a body of indefinite number; whereas the body of 5,000 contemplated by the oligarchical revolution, though it never came into actual existence, was limited and definite in number. The envoys from the Four Hundred (as observed by Mr Kenyon) assure the army at Samos 'that they will all be members of the Five Thousand *in iure*' (τῶν πεντακισχιλίων πάντες ἐν τῷ μέρει μετέξουσιν, Thuc. viii 86, 3).

§ 2. τριάκοντα ἔτη] This was the age at which an Athenian citizen became capable of belonging to the Council under the regular constitution, Xen. *Mem.* i 2, 35. ἄνευ μισθοφορᾶς] characteristic of an oligarchy. On the other hand, it is characteristic of a democracy μισθοφορεῖν μάλιστα μὲν πάντας, ἐκκλησίαν δικαστήρια ἀρχάς, εἰ δὲ μὴ, τὰς ἀρχὰς καὶ τὰ δικαστήρια καὶ <τῇ> βουλῇ καὶ τὰς ἐκκλησίας τὰς κυρίας (*Pol.* vii (vi) 2, 1317 b 35). Similarly in the case of the law courts, *Pol.* vi (iv) 8, 1294 a 38; 13, 1297 a 37; 14, 1298 b 18; and of the assembly, 1293 a 5—10. One of the causes that led to the fall of democracy in Rhodes was the fact that μισθοφορὰς οἱ δημαγωγοὶ ἐπόριζον (1304 b 27).

καὶ τοὺς ἐννέα ἄρχοντας καὶ τὸν ἱερομνήμονα καὶ τοὺς ταξιάρχους καὶ ἱππάρχους καὶ φυλάρχους καὶ ἄρχοντας εἰς τὰ φρούρια καὶ ταμίας τῶν ἱερῶν χρημάτων τῇ θ[εῷ] καὶ τοῖς ἄλλοις θεοῖς δέκα [[καὶ ἑλληνοταμίας]] καὶ τῶν ἄλλων ὁσίων χρημάτων ἀπάντων 9

XXX 9 ἑλληνοταμίας—διαχειροῦσιν mutila censent K-W. ἑλληνοταμίας mutat in ταμίας Richards, omisso (ut videtur) καὶ quod subsequitur; καὶ ἑλληνοταμίας et ὁ διαχειροῦσιν, utpote e v. 13—14 exorta, secludere malui. καὶ et ὁ διαχειροῦσιν iure secludit Thompson, sed idem ἑλληνοταμίας retinet (*Class. Rev.* v 177 a).

τούτων 8' εἶναι κτλ.] Here follows a list of official members of the new βουλή. They are elected out of the βουλή for the time being. Mr T. Nicklin (*Class. Rev.* v 128 b) suggests that τούτων refers to τοὺς ὑπὲρ τριάκοντα ἐτη γηγόντας, and that these are the body from which the four councils of 400 each, and the generals &c must come; also that the ἑλληνοταμίαι must not at the same time be in the council for the year. This interpretation appears improbable; Mr Kenyon has already pointed out that it involves the insertion of καὶ before τοὺς.

στρατηγός] c. 61 § 1, 2. ἄρχοντας] c. 55. ἱερομνήμονα] a recorder or notary. *Pol.* vii (vi) 8, 1321 a 34—40, ἑτέρα δ' ἀρχὴ πρὸς ἣν ἀναγράφεσθαι δεῖ τὰ τε ἴδια συμβόλαια καὶ τὰς κρίσεις ἐκ τῶν δικαστηρίων...καλοῦνται δὲ ἱερομνήμονες καὶ ἐπιστάται καὶ μῆμνες κτλ. Hermann-Thumser, *Staatsalt.* p. 99; Gilbert, ii 413.

ταξιάρχους] c. 61 § 3. ἱππάρχους] c. 61 § 4. φυλάρχους] c. 61 § 5. ἄρχοντας εἰς τὰ φρούρια]=φρούραρχοι, the commanders of Athenian garrisons. c. 24 § 3. Gilbert, *Gr. St.* i 400.

ταμίας τῶν ἱερῶν χρημάτων τῇ θεῷ καὶ τοῖς ἄλλοις θεοῖς δέκα] At Athens the treasures of the various temples were under the charge of officials called ταμίαι τῶν ἱερῶν χρημάτων (cf. *Ar. Pol.* vii (vi) 8, 1322 b 25). The most important of these treasures was that of Athens on the Acropolis. The officials in charge of this were called ταμίαι τῆς θεοῦ or τῶν τῆς θεοῦ, ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηναίας, ταμίαι τῶν ἱερῶν χρημάτων τῆς θεοῦ. They are first mentioned in Hdt. viii 51 at the time of the battle of Salamis, ταμίαι τοῦ ἱεροῦ; also in documents relating to the transfer of the treasure from one body of officials to their successors, from the date of the consecration of the Parthenon to 406 B.C.; in public accounts previous to Euclides; in *Dem. Macart.* p. 1075, 2, and *Aeschin. Timarch.* p. 127 § 110; lastly in inscriptions belong-

ing to B.C. 385, 325 and 300. Similarly, every temple had its special treasurers who, together with its superintendents (ἐπιστάται) and sacrificers (ἱεροποιοί), had the money of the same under their care.

In 435—4 B.C. (CIA i 32) these several treasurers of the temples, with the exception of those of the temple of Athene, were all united into a single board called ταμίαι τῶν θεῶν or τῶν ἄλλων θεῶν. From this date all the sacred moneys were kept in the Acropolis, but the treasures of Athene and those of the other divinities were generally under separate officials. *Dem. Timocr.* p. 743, 1, οἱ ταμίαι ἐφ' ὧν ὁ Ὀπισθόδομος ἐνεκρήσθη, καὶ οἱ τῶν τῆς θεοῦ καὶ οἱ τῶν ἄλλων θεῶν. Nevertheless we find that both were united for a time as one board of officers, as in the text, and in a decree quoted in Andocides *de Myst.* p. 36, τοὺς ταμίαι τῆς θεοῦ καὶ τῶν ἄλλων θεῶν. In inscriptions ascribed to B.C. 401, 400, 399—397 they are called ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηναίας καὶ τῶν ἄλλων θεῶν, and are (as here) in 411 B.C. ten in number. In 385 the treasurers of the goddess again became a separate board of Ten, who were independent of the treasurers of the other deities (see Boeckh II v, 217—220 Lamb, and Gilbert, *Gr. St.* i 234—5).

The ταμίαι have been mentioned in c. 4 § 2, c. 7 § 3, c. 8 § 1. They are called οἱ ταμίαι τῆς Ἀθηναίας in c. 47 § 1, and simply οἱ ταμίαι in c. 60 § 3.

ἑλληνοταμίας] obviously corrupt. These officials are immediately afterwards described as excluded from the Council and they could not possibly be here enumerated among its official members.

That portion of the treasures on the Acropolis which, in contrast to the ἱερὰ χρήματα, was known as δῖα χρήματα, was according to Suidas (s. v. ταμίαι, art. 1) entrusted to 'the treasurers chosen by lot who had the care of the statue of Athene.' Thus the public money was ordinarily kept by the ταμίαι τῆς θεοῦ, who were often called ταμίαι alone (Boeckh

10 εἴκοσι[ν οἱ διαχειριούσιν] καὶ ἱεροποιούς καὶ ἐπιμελητὰς δέκα ἑκατέρους· αἰρεῖσθαι δὲ πάντας τούτους ἐκ προκρίτων, ἐκ τῶν αἰὲν βουλευόντων πλείους προκρίνοντας, τὰς δ' ἄλλας ἀρχὰς ἀπάσας κληρωτὰς εἶναι καὶ μὴ ἐκ τῆς βουλῆς· τοὺς δὲ ἑλληνοταμίαις οἱ ἂν διαχειρίζωσι τὰ χρήματα μὴ συμβουλευεῖν. βουλὰς δὲ ποιῆσαι 3

10 διαχειριοῦσι H-L.

13 6AN.

TESTIMONIA. 13—14 *Harp. ἑλληνοταμίαις: ... οὐκ ἀρχὴ τις ἦν οἱ ἑλληνοταμίαις, οἱ διαχειρίζον τὰ χρήματα, καὶ Ἄρ. δηλοῖ ἐν τῇ Ἀθ. πολ.

l. c. p. 221—2). In the text, with a view to multiplying the official members of the 400, a separate board of 20 is mentioned.

Mr Kenyon infers from the present passage that separate *ταμίαι τῶν ὁσίων χρημάτων* formed part of the ordinary Athenian constitution; in the absence of evidence it is perhaps better to regard them as a special body created by the oligarchical revolution.

[*ἱεροποιούς*] *c.* 64 § 6. Gilbert, *Gr. St.* i 249. *Pol.* vii (vi) 8, 1322 b 22—25, *συμβαίνει τὴν ἐπιμέλειαν ταύτην (τὴν περὶ τοὺς θεοὺς) ἐνιαχοῦ μὲν εἶναι μίαν... ἐνιαχοῦ δὲ πολλὰς καὶ κεχωρισμένας τῆς ἱερωσύνης, ὁσὶν ἱεροποιούς καὶ ναοφύλακας καὶ ταμίαις τῶν ἱερῶν χρημάτων.*

[*ἐπιμελητὰς*] *Pol.* vii (vi) 8, 1322 b 19, *ἄλλο δ' εἶδος ἐπιμελείας ἡ περὶ τοὺς θεοὺς, ὁσὶν ἱερεῖς τε καὶ ἐπιμεληταὶ τῶν περὶ τὰ ἱερὰ τοῦ σφίξεσθαι τε τὰ ὑπάρχοντα καὶ ἀνορθοῦσθαι τὰ πίπτοντα τῶν οἰκοδομημάτων καὶ τῶν ἄλλων ὅσα τέτακται πρὸς τοὺς θεοὺς. The ἱεροποιοί, the ναοφύλακες and the ταμίαι τῶν ἱερῶν χρημάτων are in *Pol. l. c.* separate officials entrusted with this ἐπιμέλεια. The term ἐπιμελητής is vague, but the context implies that the official here meant was connected with matters of public ritual.*

αἰρεῖσθαι—ἐκ προκρίτων 'and that they (the Council, *c.* 31, 15) should appoint all these officials out of a number of selected candidates, choosing a larger number (than those actually required) out of the members of the Council for the time being.' All the officials enumerated were to be members of the Council of 400, and the Council itself was (1) to nominate candidates out of its own body to succeed these officials and (2) to choose such successors out of the number so nominated.

[*ἑλληνοταμίαις*] it is probably this passage, and not the corrupt passage a few lines earlier, that is the source of Harpocration's notice *s. v.* Mr Kenyon leaves both passages as they stand in the MS;

he points out the inconsistency between them in his commentary and endeavours to remove it in the notes to his Translation:—"If this is not to be taken as directly contradicting the statement made just above, it must be supposed that the actual handling of the money was confined to a few of the Hellenotamiae (probably in rotation), the duties of the rest being to advise and superintend." The *Hellenotamiae*, or special board for the management of the tributes, existed from the time of the formation of the confederacy of Delos and lasted to the end of the Peloponnesian war. They are frequently mentioned in inscriptions down to the time of the anarchy. On the restoration of the democracy, the office was not revived, as the *ἡγεμονία* of Athens, and the duty of paying tribute on the part of her allies, had come to an end.

In 410/9 we know of eleven Hellenotamiae, three of them from one tribe alone, and two others from another tribe. Two of the tribe Acamantis were Hellenotamiae in the same prytaneia, and the two of the tribe Aeantis were similarly holding office at the same time. Boeckh supposes that in their appointment no regard was paid to the tribes (II vii p. 243 Lamb). Cf. Gilbert, *Gr. St.* i 236.

§ 3. *βουλὰς—τέτταρας* [*s. e.* four Councils of 400 each, each of the four holding office for one year (*εἰς ἐνιαυτὸν inf.*). The order in which they were to hold office was to be decided by lot (cf. τὸ λαχὼν μέρος). The one hundred who had drawn up the constitution were to distribute themselves and 'the rest,' *i. e.* the rest of the 5,000 above the age of thirty, into four divisions of 400 each. At the end of *c.* 31 provision is made for the future 'in order that the 400 may be distributed over the four divisions (*εἰς τὰς τέτταρας λήξεις*), one hundred being assigned by lot to each of the four divisions of 400.

The total number of the officials above

τέτταρας ἐκ τῆς ἡλικίας τῆς εἰρημένης εἰς τὸν λοιπὸν χρόνον, καὶ 15
 τούτων τὸ λαχὸν μέρος βουλευεῖν, νείμαι δὲ καὶ τοὺς ἄλλους πρὸς
 τὴν λῆξιν ἐκάστην. τοὺς δ' ἐκατὸν ἄνδρας διανεῖμαι σφᾶς τε
 αὐτοὺς καὶ τοὺς ἄλλους τέτταρα μέρη ὡς ἰσαίτατα καὶ διακληρῶσαι,
 4 καὶ εἰς ἐνιαυτὸν βουλευεῖν. <βουλευέσθαι> δὲ ἢ ἂν δοκῇ αὐτοῖς
 ἄριστα εἶξιν περὶ τε τῶν χρημάτων, ὅπως ἂν σῶα ἢ καὶ εἰς τὸ δέον 20
 ἀναλίσκηται, καὶ περὶ τῶν ἄλλων ὡς ἂν δύνωνται ἄριστα· ἐὰν δέ
 τι 'θέλωσιν βουλευσασθαι μετὰ πλειόνων, ἐπεισκαλεῖν ἕκαστον
 ἐπίσκελτον δν ἂν ἐθέλῃ τῶν ἐκ τῆς αὐτῆς ἡλικίας· τὰς δ' ἑδρας
 ποιεῖν τῆς βουλῆς κατὰ πενθήμερον ἐὰν μὴ δέωνται πλειόνων.

16 ΔΟΥΛΕΥΕΙΝ. 19 βουλευεῖν. <βουλευεῖν> δὲ κ; βουλευεῖν <τοὺς λαχόντας
 πράττειν> δὲ κ-ω; βουλευέσθαι ἢ ἂν δοκῇ κτλ Richards (H-L). malui βουλευεῖν.
 <βουλευέσθαι> δὲ scribe. βουλευεῖν <τοὺς λαχόντας βουλευέσθαι> δὲ Blass.
 20 σῶα; et σῶος et σῶι in titulis Atticis exstant (Meisterhans, pp. 52², 117²): σῶα κ-ω.
 21—23 ΕΑΝΤΙ: κἂν τι κ; ἐὰν <δέ> τι J B Mayor, κ-ω, H-L, B. 22 ἐθέλωσι H-L.
 .κ.

23 ΕΠΕΙΣΚΕΛΗΝΤΟΝ COPT. K. 24 ΠΕΝΘΗΜΕΡΟΝ COPT. K.

23—24 Hesych. ἑδραι βουλῆς: αἱ ἐγίνοντο κατὰ πενταήμερον.

enumerated is as follows, if we assume that the numbers were in every case the same as usual:

στρατηγοί (10), ἄρχοντες (9), ἱερομητῶν (1), ταξιάρχαι (10), ἱππαρχοί (2, 1 in 31, 14), φύλαρχοι (10), ἄρχοντες εἰς τὰ φρούρια (?), ταμίαι τῶν ἱερῶν χρημάτων (10), ταμίαι τῶν δόσιων χρ. (20), ἱεροποιοί (10), ἐπιμεληταί (10), making 92 out of a total of perhaps 100.

The ἄρχοντες εἰς τὰ φρούρια were possibly eight in number, in which case they may have represented the 8 tribes not represented by the 2 ἱππαρχοί. Thus ἡ may have dropped out after φρούρια (l. 7). But it is more probable that there was only one ἱππαρχός under this constitution and therefore 9 ἄρχοντες εἰς τὰ φρούρια, in which case θ may be the missing number. This is confirmed by the fact that the number of Attic φρούρια known to us is exactly nine, Eleusis, Anaphlystus, Sunium, Thoricus, Panactum, Cēnoe, Phyle, Aphidna and Rhamnus (Boeckh, II x; the evidence for the last two belongs to the times of Philip).

εἰς τὸν λοιπὸν χρόνον] = εἰς τὸν μέλλοντα χρόνον c. 31 § 1.

τοὺς ἄλλους] probably, not the 300 co-opted by the 100 (Thuc. viii 67, 3), but the rest of the 5,000.

διανεῖμαι...τέτταρα μέρη] c. 21 § 4, διένειμε...τριᾶκοντα μέρη.

ὡς ἰσαίτατα] Plat. Leg. 744 C. διακληρῶσαι, to 'assign them by lot,' Thuc.

viii 30, 1, διακληρωσάμενοι, 'having drawn lots,' vi 42, τρία μέρη νειμάντες ἐν ἐκάστῳ ἐκληρώσαν.

§ 4. σῶα] The evidence of inscriptions shews that σῶος and σῶι were alike in use (Meisterhans, Gr. p. 117 ed. 1888). Cf. Dem. Lept. § 142 note. The codex Σ of Dem. has nom. masc. σῶς in Mid. 126, Aristocr. 131; neut. σῶν Lept. 142; acc. pl. σῶς in Pac. 17, Chers. 15; gen. sing. σῶας F.L. 78; pl. σῶοι in F.L. 57, 153, 326; acc. sing. σῶων Mid. 177; pl. nom. σῶοι Cor. 49, Phil. iii 70, Timocr. 106 (Voemel, Proleg. Gramm. in Dem. Cont. § 33).

εἰς τὸ δέον ἀναλίσκηται] Aristoph. Nub. 859, εἰς τὸ δέον ἀπώλεσα, Dem. Ol. 3, 28, ἀνηλώκαμεν εἰς οὐδὲν δέον, Plut. Per. 23.

ἐπεισκαλεῖν (to co-opt) and ἐπίσκελτον are only found in this passage.

ἑδρας] c. 4 § 3. It is the technical term. CIA i 31, 7; 59, 41; ii 800 b 15 cet. (Mayor).

κατὰ πενθήμερον] not 'for five days at a time'; but 'once every five days'; cf. κατ' ἐνιαυτὸν ('year by year'), κατὰ μῆνα, καθ' ἡμέραν ('daily,' Thuc. vii 8 § 1 and 50 § 3). Mr Poste extracts both senses out of the passage: 'the sessions of the council shall be for five days at a time with intervals of five days.' Under the democracy the βουλὴ met daily except on public holidays (43 § 3).

πλειόνων, sc. ἐδρῶν.

15 κληροῦν δὲ τὴν βουλὴν τοὺς ἐννέα ἄρχοντας, τὰς δὲ χειροτονίας
κρίνειν πέντε τοὺς λαχόντας ἐκ τῆς βουλῆς, καὶ ἐκ τούτων ἓνα
κληροῦσθαι καθ' ἑκάστην <τὴν> ἡμέραν τὸν ἐπιψηφιοῦντα. κλη- 5
ροῦν δὲ τοὺς λαχόντας πέντε τοὺς ἐθέλοντας προσελθεῖν ἐναντίον
τῆς βουλῆς, πρῶτον μὲν ἱερῶν, δεύτερον δὲ κήρυξιν, τρίτον πρεσ-
30 βείαις, τέταρτον τῶν ἄλλων· τὰ δὲ τοῦ πολέμου ὅταν δέῃ ἀκληρωτὶ
προσαγαγόντας τοὺς στρατηγοὺς χρηματίζεσθαι. τὸν δὲ μὴ ἰόντα 6
εἰς τὸ βουλευτήριον τῶν βουλευόντων τὴν ὥραν τὴν προρρηθείσαν
ὀφείλειν δραχμὴν τῆς ἡμέρας ἐκάστης, εἰ μὴ εὐρόμενος ἄφесιν
τῆς βουλῆς ἀπῆ. ||

25 'an πλήρουν?' K-W. 27 τὴν addit B. 29 πρεσβείαι: πρεσβείαις Wyse,
K-W, H-L, K², B. 33 εὐρόμενος Tyrrell et Richards (H-L, B); εὐρισκόμενος
(K, K-W).

κληροῦν . . τὴν βουλὴν τοὺς ἐννέα
ἀρχοντας] This means either (1) that the
Council is to appoint the archons by lot,
or (2) the archons are to superintend the
sortition of the Council. (1) is followed
by Kaibel and Kiessling, and also by
Poland; (2) by Mr Poste and Mr Kenyon.
In (1) the order is verb, subject, object,
just as in § 5 κληροῦν τοὺς λαχόντας πέντε
τοὺς ἐθέλοντας; and this is supported by
the context. We are first told how the
Council is constituted, and next what it
has to do. But this view is open to a
fatal objection. The Council cannot ap-
point the archons by lot, because under
the present constitution the archons are
chosen out of a select list (§ 2, l. 11).
We must therefore suppose that the
archons were to superintend the sortition
of the Council. Those of the 5,000, who
were over 30 years of age, have already
been divided into four groups determined
by lot (§ 3). The archons in each year
have to draw lots for appointing 400 out
of each of these groups to serve on one
of the four successive Councils. M. Th.
Reinach regards this sentence as an inter-
polation.

For πλήρουν, which has been proposed
in place of κληροῦν, cf. δικαστήρια πλήρουν
in Dem. 24 § 92, 21 § 209, and Isaeus 6
§ 37; also Arist. Eccl. 89, πληρουμένης
ἐκκλησίας.

χειροτονίας κρίναν] 'decide divisions
taken by show of hands.' The five
functionaries act as 'tellers.' One of
them is appointed by lot for each of the
five days during which the Council sits,
'to put questions to the vote,' i.e. to act
as president or chairman.

§ 5. κληροῦν—βουλῆς] These five

persons were to determine by lot the
order of precedence among those who
wished to appear before the Council.

ἱερῶν . . κήρυξιν . . πρεσβείαις . . τῶν ἄλ-
λων] The two alternative constructions
are arranged in the order of a *chiasmus* or
introverted parallelism, the two nearest
and the two furthest terms corresponding
in construction. Apart from love of
variety there is no apparent reason for
this change. Exactly the same order and
the same variety of expression is found in
the statement of the proceedings in the
ἐκκλησία in c. 43 § 6, ἱερῶν . . κήρυξιν καὶ
πρεσβείαις . . ὁσίω. Cf. also Aeschin.
Timarch. 23, προχειροτονεῖν κελεύει τοὺς
προέδρους περὶ ἱερῶν τῶν πατρίων καὶ
ὁσίω καὶ κήρυξιν καὶ πρεσβείαις.

§ 6. τὴν ὥραν] not 'the hour,' but
'the time'; the use of ὥρα for 'hour' is
not earlier than the Alexandrine age.

ὀφείλειν δραχμὴν] the infliction of a
fine for non-attendance is characteristic of
an oligarchy. Pol. vi (iv) 9, 1294 a 38, (of
law courts) ἐν μὲν γὰρ ταῖς ὀλιγαρχίαις τοῖς
εὐπόροις ζημίαν τάττουσιν, ἀν μὴ δικάζωσι,
τοῖς δ' ἀπόροις οὐδένα μισθόν, cf. 1298 b 17.
It is one of the devices of aristocracies
mentioned ib. 13, 1297 a 17, ζημίαν ἐπι-
κείσθαι τοῖς εὐπόροις, εἰ μὴ ἐκκλησιάζωσιν.
Fines for non-attendance at the βουλὴ in
particular are apparently not mentioned
in the Politics.

εὐρισκόμενος, 'in the enjoyment of leave
of absence,' is less likely to be right than
εὐρόμενος, 'having obtained for himself
leave of absence.'

ἄφесιν] not found in this sense in Ar.
The corresponding adj. ἀφένσιμος occurs in
c. 43 § 3.

[Col. 13.]

31. ταύτην μὲν οὖν εἰς τὸν μέλλοντα χρόνον ἀνέγραψαν τὴν πολιτείαν, ἐν δὲ τῷ παρόντι καιρῷ τήνδε· βουλευεῖν μὲν τετρακοσίους κατὰ τὰ πάτρια, τετταράκοντα ἐξ ἐκάστης <τῆς> φυλῆς, ἐκ προκρίτων [οἷ]ς ἂν ἔλωνται οἱ φυλέται τῶν ὑπὲρ τριάκοντα ἔτη γεγονότων. τούτους δὲ τὰς τε ἀρχὰς καταστήσαι καὶ περὶ τοῦ 5 ὄρκου ὄντινα χρῆ ὁμόσαι γράψαι, <καὶ> περὶ τῶν νόμων καὶ τῶν εὐθυ[ν]ῶν καὶ τῶν ἄλλων πράττειν ἢ ἂν ἡγῶνται [συμ]φέρειν. τοῖς δὲ νόμοις οἱ ἂν τεθῶσιν περὶ τῶν πολιτικῶν χρῆσθαι, καὶ μὴ ἐξεῖναι 2 μετακινεῖν μηδ' ἐτέρους θέσθαι. τῶν δὲ στρατηγῶν τὸ νῦν εἶναι τὴν αἵρεσιν ἐξ ἀπάντων ποιεῖσθαι τῶν πεντακισχιλίων, τὴν δὲ βουλὴν, 10 ἐπειδὴν καταστῇ, ποιήσασαν ἐξέτασιν <ἐν> ὅπλοις, ἐλέσθαι δέκα ἄνδρας καὶ γραμματέα τούτοις, τοὺς δὲ αἰρεθέντας ἀρχεῖν τὸν εἰσιόντα ἐνιαυτὸν αὐτοκράτορας, καὶ τι δέονται συμβουλευέσθαι μετὰ τῆς βουλῆς. ἐλέσθαι δὲ καὶ ἵππαρχον ἓνα καὶ φυλάρχους δέκα· τὸ δὲ λοιπὸν τὴν αἵρεσιν ποιεῖσθαι τούτων τὴν βουλὴν κατὰ 15 3 τὰ γεγραμμένα. τῶν δ' ἄλλων ἀρχῶν πλὴν τῆς βουλῆς καὶ τῶν στρατηγῶν μὴ ἐξεῖναι μήτε τούτοις μήτε ἄλλῳ μηδενὶ πλέον ἢ

XXXI § 1. χρόνον...καιρῷ] Ar. *Anaí.* Pr. i 36 § 6, ὁ καιρὸς ἐστὶ χρόνος δέων. ἀνέγραψαν] 'drew up,' c. 2 § 4. κατὰ τὰ πάτρια] in allusion to the Council of 400 under the Solonian constitution, c. 8 § 4. The phrase is inserted to propitiate those who regarded Solon as the founder of the Athenian democracy. ἐκ προκρίτων οἷς ἂν ἔλωνται οἱ φυλέται] According to this, the ten tribes were to make a preliminary selection of more than the requisite number; but we are not told how the final choice was made out of those nominated by the tribes. According to Thuc. viii 67, 3, the proposal carried at the ἐκκλησία held at Colonus was to choose five πρόεδροι; and for these to elect 100 in all, and for each of these 100 to co-opt three others. The historian's account supplies an omission in the text by describing the process by which the requisite number was arrived at. The two accounts may be partly reconciled by supposing that the 100 were limited in their choice to selecting the additional 300 out of those preliminarily selected by the tribes. As regards the

method by which the original hundred were appointed, the precise account in Thuc. seems more trustworthy than the vague description of the appointment of the 400 given in the text.

εὐθυ[ν]ῶν] 'the examination of official accounts,' 'audits,' c. 48 § 4. *Att. Proc.* p. 259 Lips.

§ 2. τὸ νῦν εἶναι] Plat. *Rep.* 506 E, Xen. *Cyr.* v 3 § 42.

τὴν αἵρεσιν...ποιεῖσθαι] *inf.* l. 15. καταστῇ] 32 § 2. Lys. 13 § 34 and 25 § 14, οἱ τριάκοντα κατέστησαν.

ἐξέτασιν ἐν ὅπλοις] Xen. *Anab.* v 3, 3, and *Cyrop.* ii 4, 1, ἐξέτασις ἐν τοῖς ὅπλοις. Thuc. iv 74 § 3, ἐξέτασιν ὅπλων ἐποιήσαντο, vi 45 § 2, ὅπλων ἐξετάσει καὶ ἵππαρχον εἰσιόντα] during the 'ensuing' year, after the lapse of the two remaining months of the archonship of Callias.

ἵππαρχον ἓνα] The normal number was *two* (c. 61 § 4). φυλάρχους, c. 61 § 5.

§ 3. μὴ ἐξείναι—πλέον ἢ ἀπαξ ἀρῆσαι] Under the normal constitution of Athens military offices might be repeatedly held by the same person, but none of the others more than once, except in the case of membership of the Council, which

ἀπαξ ἄρξαι τὴν αὐτὴν ἀρχήν. εἰς δὲ τὸν ἄλλον χρόνον, ἵνα νεμηθῶσιν οἱ τετρακόσιοι εἰς τὰς τέτταρας λήξεις, ὅταν [τοῖς] αὐτοῖς 10 γίγνηται μετὰ τῶν ἄλλων βουλευεῖν, διανεμάντων αὐτοὺς οἱ ἑκατὸν ἄνδρες.

32. οἱ μὲν οὖν ἑκατὸν οἱ ὑπὸ τῶν πεντακισχιλίων αἰρεθέντες ταύτην ἀνέγραψαν τὴν πολιτείαν. ἐπικυρωθέντων δὲ τούτων ὑπὸ τοῦ πλήθους, ἐπιψηφίσαντος Ἀριστομάχου, ἡ μὲν βουλὴ <ῆ> ἐπὶ Καλλίου πρὶν διαβουλευσαὶ κατελύθη μηνὸς Θαργηλιῶνος τετράδι 5 ἐπὶ δέκα, οἱ δὲ τετρακόσιοι εἰσήεσαν ἐνάτῃ φθίνοντος Θαργηλιῶνος· ἔδει δὲ τὴν εἰληχυσίαν τῇ κυάμφῃ βουλήν εἰσιέναι τετράδι ἐπὶ δέκα

18—20 ἵνα et ὅταν locum inter se mutasse putat Hude, qui etiam (cum Thompsono) ἐγγίγνηται conicit; ὅταν νεμηθῶσω—, ἵνα μὴ—μετὰ τῶν αὐτῶν βουλευεῖν, ἄλλως διανεμάντων nimis audacter Poste.

19 τοῖς ἀστοῖς secl. K³, retinent K-W; τοῖς αὐτοῖς Tyrrell (H-L, et B qui etiam in papyro invenit [α]γγοῖς): mihi quidem [ε]ττοῖς aut simile aliquid scriptum fuisse videtur; malui tamen αὐτοῖς accipere, et τοῖς secludere, utpote ex interpretamento τοῖς τ' (sc. τοῖς τετρακόσιοις) exortum.

XXXII § <ῆ> Rutherford, Blass, K-W, H-L, K³. § ΕΙΧΗΕCAN: εἰσήεσαν K, H-L; εἰσήεσαν K-W, B. § ἔδει δὲ: ΕΤΙΔΕ corr. K.

might be held twice (see c. 62 end, and *Pol.* 1275 a 25; 1299 a 10; 1317 δ 24; there quoted).

νεμηθῶσιν...εἰς τὰς...λήξεις c. 30 § 3, νεῖμαι...τοῖς ἄλλοις πρὸς τὴν λῆξιν ἐκάστην.

'As regards the future, in order that the 400 may be distributed into the four divisions (above mentioned, 30 § 3), let the hundred make the distribution when it is possible for them (i.e. the 400) to sit in council with the rest.'

τῶν ἄλλων refers to the 5,000, as in c. 30 § 3, twice. αὐτοῖς refers to the τετρακόσιοι aforesaid.

Kaibel and Wilamowitz explain τῶν ἄλλων as τῶν ἐν Σάμῳ, but (as observed by Mr Kenyon) 'βουλευεῖν is a technical word, and the Athenians with the fleet would not become members of the βουλὴ on their return, and there would be no occasion to await their return before arranging the subdivision of the Four Hundred among the four councils.'

In διανεμάντων we have a sudden transition from the inf. of *orat. obliqua* to the imperative of *oratio recta*.

XXXII § 1. ἐπιψηφίσαντος 30 § 4 end. Ἀριστομάχου, otherwise unknown.

'The absence of the name of father and deme is in accordance with the lapidary style of the 5th century, in which the decrees simply have δ δεῖνα ἐπεστάται, e.g. CIA I, 32, ἔδοξεν τῇ βουλῇ καὶ τῇ δήμῳ· Κεκροπίς ἐκρυπτανε· Μνησίθεος ἐγραμμάτενε· Εὐκλείης ἐπεστάται·

Καλλίας εἶπε. On the other hand, the addition of the deme (c. 34 *ult.*, ἐγραψε τὸ ψήφισμα Δρακοντίδης Ἀφιδναῖος) or father (29 § 1, γράψαντος Πυθοδώρου τοῦ Ἐπιστήλου) of the proposer, is not in the manner of 5th century inscriptions' (Wyse).

ἐπὶ Καλλίου B.C. 412—411.

πρὶν διαβουλευσαὶ 'before the completion of its term of office.' The word is not found elsewhere in act. διαβουλεύεσθαι, 'to deliberate thoroughly,' is found in Andoc. 2 § 19; and in the sense of 'taking counsel' in Thuc. ii 5 and elsewhere (L and S), e.g. vii 50 § 4, 'to discuss.' As appears from the context, the Council was within a month of completing its year of office.

Θαργηλιῶνος τετράδι ἐπὶ δέκα, the 14th of Thargelion (May-June) or about the end of May. ἐνάτῃ φθίνοντος Θαργηλιῶνος, the 21st of Thargelion, or about June 7. τετράδι ἐπὶ δέκα Σκιροφοριῶνος, the 14th of Scirophorion (June-July), or about the end of June.

ἔδει 'was bound' in ordinary course, according to the normal constitution.

τὴν εἰληχυσίαν τῇ κυάμφῃ βουλῇ Thuc. viii 66 § 1, δῆμος μέντοι ὅμως ἐπὶ καὶ βουλῇ ἡ ἀπὸ τοῦ κυάμου ξυνελέγετο, *ib.* 69 (of the attack of the Four Hundred and their emissaries on the Council of 412—411), ἐπέστρεψαν τοῖς ἀπὸ τοῦ κυάμου βουλευταῖς. The object of the emphatic mention of κυάμος is to point the contrast between the constitutional Council and

2 Σκιροφοριῶνος. ἡ μὲν οὖν ὀλιγαρχία τοῦτον κατέστη τὸν τρόπον ἐπὶ Καλλίου μὲν ἄρχοντος, ἔτεσιν δ' ὕστερον τῆς τῶν τυράννων ἐκβολῆς μάλιστα ἑκατόν, αἰτίων μάλιστα γενομένων Πεισάνδρου καὶ Ἀντιφῶντος καὶ Θηραμένους, ἀνδρῶν καὶ γεγενημένων εὐ καὶ 10 Col. 14.13 συνέσει καὶ γνώμῃ δοκούντων διαφέρειν. || γενομένης δὲ ταύτης τῆς πολιτείας οἱ μὲν πεντακισχίλιοι λόγῳ μόνον ἤρέθησαν, οἱ δὲ τετρακόσιοι μετὰ τῶν δέκα τῶν αὐτοκρατόρων εἰσελθόντες εἰς τὸ βουλευτήριον ἤρχον τῆς πόλεως, καὶ πρὸς Λακεδαιμονίους πρεσβευσάμενοι κατελύοντο τὸν πόλεμον ἐφ' οἷς ἑκάτεροι τυγχάνουσιν 15 ἔχοντες. οὐχ ὑπακου[σά]ντων δ' ἐκείνων εἰ μὴ καὶ τὴν ἀρχὴν τῆς [θ]αλάττης ἀφήσουσιν, οὕτως ἀπέστησαν.

8 ἔτεσι H-L. 9 μάλιστα ante ἑκατόν temere om. H-L, utpote e verbis proxime
 sequentibus illapsum. 13 ἠρεθῆσαν H-L, utpote e verbis proxime
 Hude (K-W). 16 ὑπακου[σά]ντων H-L.

that of the Revolution. The latter was not appointed by lot out of the general body of citizens. Cf. 31, 4, οὗς ἀνέλεονταί.

§ 2. μάλιστα ἑκατόν] B.C. 510—to end of May 411, or 99 years; hence μάλιστα. Thuc. viii 68, 4, ἐπ' ἔτει ἑκατοστῷ μάλιστα ἔπειδ' οἱ τυράννοι κατελύθησαν.

Πεισάνδρου] Thuc. viii 49, 53—56, 63—68, esp. 68 § 1 (of the ἐκκλησία held at Colonus), ἥν δὲ ὁ μὲν τὴν γνώμην ταύτην εἰπὼν Πείσανδρος, καὶ τὰλλα ἐκ τοῦ προφανοῦς προθυμώματα ἐγκαταλύσαι τὸν δῆμον· ὁ μὲντοι πᾶν τὸ πρᾶγμα ἐπιθεῖς διττῷ τρόπῳ κατέστη ἐς τοῦτο καὶ ἐκ πλείστον ἐπιμεληθεὶς Ἀντιφῶν ἦν, ἀπὴρ Ἀθηναίων τῶν καθ' ἑαυτὸν ἀρετῇ τε οὐδενὸς δεύτερος καὶ κράτιστος ἐνθυμηθῆναι γενόμενος καὶ ἀγνοῖα εἰπεῖν. In § 3 Thuc. mentions Phrynichus who παρέσχε... ἑαυτὸν πάντων διαφερόντως προθυμώτατον ἐς τὴν ὀλιγαρχίαν, and in § 4 Θηραμένης, who ἐν τοῖς ἐγκαταλύουσι τὸν δῆμον πρῶτος ἦν, ἀπὴρ οὕτε εἰπεῖν οὐτε γράψαι ἄδυνατος. ὥστε ἀπ' ἀνδρῶν πολλῶν καὶ ξυνετῶν (cf. συνέσει) πραχθὲν τὸ ἔργον οὐκ ἀπεικόντως καίπερ μέγα δὴ προύχωρσεν. On Peisander, see also Lys. 12 § 66; 25 § 9; and Andoc. 2 §§ 12—15; on Antiphon, Lys. 12 § 67; on Theramenes, *ib.* 62—78.

§ 3. λόγῳ μόνον] Thuc. viii 92 § 11, καὶ οἱ τετρακόσιοι διὰ τοῦτο οὐκ ἤθελον τοὺς πεντακισχιλίους οὐτε εἶναι οὐτε μὴ ὄντας δῆλους εἶναι, τὸ μὲν καταστήσαι μετόχους τοσούτους ἀντίκρυσ ἀν δῆμον ἡγούμενοι, τὸ δ' αὖ ἀφανὲς φόβον ἐς ἀλλήλους παρέξειν. οἱ δὲ τετρακόσιοι κτλ.] Thuc. viii 70, οἱ τετρακόσιοι ἐσελθόντες ἐς τὸ βουλευτήριον...

τὰ τε ἄλλα ἐνεμον κατὰ κράτος τὴν πόλιν κτλ.

τῶν δέκα] the ten στρατηγοὶ of c. 31 § 2. πρὸς Λακ. κτλ.] Thuc. *ib.* πρὸς τε Ἄγιν τὸν Λακεδαιμονίων βασιλέα ὄντα ἐν τῇ Δακελείᾳ ἐπεκηρυκένοντο, λέγοντες διαλλαγήναι βούλεσθαι (Grote, v p. 391). 71 § 3, μετὰ δὲ τοῦτο παρὰ τε τὸν Ἄγιν ἐπρεσβεύοντο οἱ τετρακόσιοι οὐδὲν ἤσσαν, κἀκείνου μᾶλλον ἤδη προσδεχομένου καὶ παραινύοντος ἐκπέμπουσι καὶ ἐς τὴν Λακεδαίμονα περὶ ξυμβάσεως πρέσβεις βουλόμενοι διαλλαγήναι. 90 § 2, ἀπέστειλαν Ἀντιφῶντα καὶ Φρύνιχον καὶ ἄλλους δέκα κατὰ τάχος... ἐπιστείλαντες παντὶ τρόπῳ ὅστις καὶ ὅπως οὖν ἀνεκτὸς ξυμβαλέσθαι πρὸς τοὺς Λακεδαιμονίους. Lastly, 91 § 1, οἱ ἐκ τῆς Λακεδαίμονος πρέσβεις οὐδὲν πράξαντες ἀνεχώρησαν τοῖς ἐμπάσι ξυμβατικόν. 'We read with astonishment,' says Grote, v 409, 'that the (Lacedaemonians) could not be prevailed upon to contract any treaty and that they manifested nothing but backwardness in seizing the golden opportunity.' But the envoys clearly could not answer for the armament at Samos, and therefore returned without obtaining any terms that would apply to the Athenians at large. The text tells us what we do not learn from Thucydides, viz. that the reason for this failure in the negotiations was due to the envoys declining to surrender the maritime supremacy of Athens. This embassy was afterwards impeached by Theramenes (Lysias 12 §§ 66—68); Antiphon was condemned and executed (Phrynichus had been already assassinated).

κατελύοντο] tentative impf.

33. μήνας μὲν οὖν ἴσως τέτταρας διέμεινεν ἡ τῶν τετρακοσίων πολιτεία, καὶ ἤρξεν ἐξ αὐτῶν Μνησίλοχος δίμηνον ἐπὶ Θεοπόμπῳ ἄρχοντος, <δς> ἤρξε τοὺς ἐπιλοίπους δέκα μήνας. ἡττηθέντες δὲ τῇ περὶ Ἐρετρίαν ναυμαχίᾳ κ[αί] τῆς Εὐβοίας ἀποστάσης ὅλης 5 πλὴν Ὀρεοῦ, χαλεπῶς ἐνεγκόντες ἐπὶ τῇ συμφορᾷ μάλιστα τῶν προγεγενημένων (πλείω γὰρ ἐκ τῆς Εὐβοίας ἢ τῆς Ἀττικῆς ἐτύγχανον ὠφελούμενοι), κατέλυσαν τοὺς τετρακοσίους καὶ τὰ πράγματα παρέδωκαν τοῖς πεντακισχιλίοις τοῖς ἐκ τῶν ὄπλων, ψηφισάμενοι μηδεμίαν ἀρχὴν εἶναι μισθοφόρον. αἰτιώτατοι δ' 2 10 ἐγένοντο τῆς καταλύσεως Ἀριστοκράτης καὶ Θηραμένης, οὐ συνα-

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XXXXII 2 ΜΝΑΣΙΜΑΧΟΣ; Μνασίλοχος (K, H-L): Μνησίλοχος K-W, B. 3 <δς> K (K-W, B): δ δ' H-L. ἡττηθέντες δὲ <οἱ Ἀθηναῖοι>? Herwerden, Richards. 5 ὠριόγ. 9 ΜΙΣΘΟΦΟΡΩΝ: μισθοφόρον J B Mayor, Rutherford, Naber, Fränkel, edd.

TESTIMONIA. 1 *Harp. s.v. τετρακόσιοι: ... οἱ τετρακόσιοι πρὸ ἐπτά ἐτῶν κατέστησαν τῶν τριάκοντα τυράννων παρ' Ἀθηναίους ὅτινες τέτταρας μήνας ἤρξαν τῆς πόλεως, ὡς φησὶν Ἀρ. ἐν Ἀθ. πολ. (Frag. 372³, 410²).

XXXIII § 1. μήνας... ἴσως τέτταρας] The 400 were practically in power from the end of May to the end of June, also for the two months of July and August in the civil year next ensuing (δίμηνον). This makes *three* months. Hence the oligarchical revolution began about a month earlier, i.e. at the end of April, while the constitutional Council was still nominally in office (Thuc. viii 66, 1), and the four months are May, June, July and August. Thuc. viii 63, 3, places the fall of the democracy a little earlier than the spring of 411. It has been assigned to March 411, soon after the *Lenaea* in which the *Lysistrata* was produced (Wattenbach, *De Quadr.* p. 29, quoted by Classen, Thuc. l.c.). Similarly Grote, c. 63 *init.*, describes the Four Hundred as 'installed in the Senate-House about February or March 411 B.C., and deposed about July of the same year', and speaks of Athens undergoing 'four or five months of danger and distraction.' It now appears that these dates are rather too early.

Μνησίλοχος] the archon eponymus selected by the 400. Μνησίλοχος is mentioned in the list of the Thirty given in Xen. *Hell.* ii 3, 2 and there is every probability that the two are the same. Cf. CIA iv 3, 179 d 1, p. 162, [Ἀθηναῖοι ἀνῆλ[υσαν ἐπὶ Μνησιλόχου ἀρχο[ντος]. This expenditure was authorised not (as usual) by vote of the δῆμος, but ψηφισα-

μένης τῆς βουλῆς. At the date specified, the 21st of Hecatombæon, the Four Hundred were still in power.

Θεοπόμπῳ] the archon eponymus appointed by lot on the restoration of the democracy in the third month of the civil year, B.C. 411—10.

ἐπιλοίπους] not found in the *Index Ar.* In 40 § 1 we have the ordinary word ὑπολοίπους. ἐπιλοίπος is often used by Plato, *Rep.* 540 B and *Leg.* 728 D, τὸν ἐπιλοιπον βίωσ, *ib.* 628 A, εἰς τὸν ἐπιλοιπον χρόνον.

τῇ περὶ Ἐρετρίαν ναυμαχίᾳ] Thuc. viii 95. In Lys. 20 § 14 one of the καταλογεῖς sails for Eretria after holding office under the 400 for eight days only. πλὴν Ὀρεοῦ. Thuc. l.c. § 7, (the Lac.) Εὐβοίαν ἀπασαν ἀποστήσαντες πλὴν Ὀρεοῦ.

χαλεπῶς ἐνεγκόντες κτλ.] Thuc. viii 96 § 1, τοῖς δ' Ἀθηναίοις ὡς ἤλθε τὰ περὶ τὴν Εὐβοίαν γεγενημένα, ἐκπληξίς μεγίστη δὴ τῶν πρὶν παρέστη.

πλείω ὠφελούμενοι] Thuc. viii 96 § 2, (Euboea) ἐξ ἧς πλείω ἢ τῆς Ἀττικῆς ὠφελοῦντο. Decelea was at this time in the occupation of Agis.

κατέλυσαν τοὺς τετρακοσίους κτλ.] Thuc. viii 97 § 1, τοὺς τετρακοσίους καταπαύσαντες τοῖς πεντακισχιλίοις ἐψηφίσαντο τὰ πράγματα παραδοῦναι· εἶναι δὲ αὐτῶν ὅπόσοι καὶ ὅπλα παρέχονται· καὶ μισθὸν μηδένα φέρειν μηδεμιᾶ ἀρχῇ.

§ 2. Ἀριστοκράτης καὶ Θηραμένης] Thuc. viii 89, 2 (of the opposition to the

ρεσκόμενοι τοῖς ὑπὸ τῶν τετρακοσίων γυγνομένοις· ἅπαντα γὰρ δι' αὐτῶν ἔπραττον, οὐδὲν ἐπαναφέροντες τοῖς πεντακισχιλίοις. δοκοῦσι δὲ καλῶς πολιτευθῆναι κατὰ τούτους τοὺς καιροὺς, πολέμου τε καθεστῶτος καὶ ἐκ τῶν ὅπλων τῆς πολιτείας οὐσης. 14

34. τούτους μὲν οὖν ἀφείλετο τὴν πολιτείαν ὁ δῆμος διὰ τάχους· ἔτει δ' ἐβδόμῃ μετὰ τὴν τῶν τετρακοσίων κατάλυσιν, ἐπὶ Καλλίου τοῦ Ἀγγελήθεν ἄρχοντος, γενομένης τῆς ἐν Ἀργινοῦσαις ναυμαχίας, πρῶτον μὲν τοὺς δέκα στρατηγούς τοὺς τῇ ναυμαχίᾳ 4

11 ΓΕΝΟΜΕΝΟΙΣ; γυνομένοις K-W; γιγν. H-L, K³, B. 13 an καίπερ πολέμου? Herwerden.

XXXIV 2 ΕΒΔΟΜΟΙ: ἔκτῃ K-W².

ΚΑΤΑΛΥCIN K, H-L, K-W², B; κατάστασιν

ΔΙ

K-W¹. 3 ΑΡΓΙΝΟΥCΑΙC: Ἀργινοῦσσαίς B. 4 τὴν ναυμαχίαν Tyrrell. τοὺς—νικῶντας e margine irrepsisse putat Richards.

4 τὴν ναυμαχίαν Tyrrell. τοὺς—

TESTIMON. XXXIV 2—12 *Schol. Arist. *Ran.* 1532 Κλεοφῶν δὲ μαχέσθω: παρόντων, ὡς Ἀρ. φησὶ, μετὰ τὴν Ἀργινοῦσαις ναυμαχίαν Λακεδαιμονίων βουλευμένων ἐκ Δακελείας ἀπέναι ἐφ' οἷς ἔχουσιν ἐκάτεροι καὶ εἰρήνην ἀγεῖν ἐπὶ (τοῦ secl. K-W) Καλλίου, Κλεοφῶν ἔπεισε τὸν δῆμον μὴ προσδέσασθαι, "ἐλθὼν εἰς τὴν ἐκκλησίαν—ἐὰν μὴ πάσας ἀφ' ὧς τὰς πόλεις οἱ Λακεδαιμόνιοι" (Frag. 370², 408²).

extreme members of the 400), ἔχοντες ἡγεμόνας τῶν πάντων [στρατηγῶν] τῶν ἐν τῇ ὀλιγαρχίᾳ [καὶ] ἐν ἀρχαῖς ὄντων, ὅσων θηραμένων τε τὸν Ἀγνώστου καὶ Ἀριστοκράτη τὸν Σκελλίου. Lys. 12 § 66, (Theramenes) μετέσχε τῶν Ἀριστοκράτους ἔργων.

Aristocrates had been one of the envoys who negotiated the peace of 421 B.C. (Thuc. v 19 and 24). In 414 B.C. he is represented as a typical 'aristocrat' in Arist. *Aves*, 125, ("Ἐποψ) ἀριστοκρατεῖσθαι ὅσους εἰ ζῆτων. (Εὐέλπ.) ἐγὼ; ἡκιστα· καὶ τὸν Σκελλίου βδελύττομαι, cf. Plat. *Gorg.* 472 A. He was a ταξίαρχος under the 400 (Thuc. viii 92) and is extolled by the author of the speech against Theocrines, [Dem.] 58 § 67, for taking part in the destruction of the fortress of Eetioneia and restoring the democracy. He was one of the generals at Arginusae (406).

οὐδὲν ἐπαναφέροντες τοῖς πεντακισχιλίοις] In Thuc. *l.c.* the opponents of the 400 insist τοὺς πεντακισχιλίους ἔργῳ καὶ μὴ ὀνόματι χρῆναι ἀποδεικνύναι.

δοκοῦσι δὲ καλῶς πολιτευθῆναι κτλ.] Thuc. viii 97, 2, οὐχ ἡκιστα δὴ τὸν πρῶτον χρόνον ἐπὶ γ' ἐμοῦ Ἀθηναῖοι φαίνονται εὖ πολιτεύσαντες· μετρία γὰρ ἦ τε ἐς τοὺς ὀλίγους καὶ ἐς τοὺς πολλοὺς ξυγκρασις ἐγένετο καὶ ἐκ πονηρῶν τῶν πραγμάτων τοῦτο πρῶτον ἀνέτηκε τῶν πόλεων. Grote c. 57, v 430.

ἐκ τῶν ὅπλων] c. 4 § 2, ἀπεδέδοτο ἡ πολιτεία τοῖς ὅπλοις παρεχομένοις. Pol. 1297 b 1, δεῖ δὲ τὴν πολιτείαν εἶναι μὲν ἐκ τῶν

τὰ ὅπλα ἔχόντων μόνων.

XXXIV. *Arginusae* and *Aegospotami*. § 1. *ἔτει δ' ἐβδόμῃ* κτλ.] The archonship of Theopompus was in B.C. 411/0; that of Callias in 406/5. Thus, the latter was in the *sixth* year after the overthrow of the Four Hundred. Mr Kenyon suggests that 'the calculation was probably made by inadvertence from the establishment of the Four Hundred, which was in the official year 412—411 B.C.'

τοῦ Ἀγγελήθεν] Added to distinguish him from the Callias who was archon in B.C. 412 (c. 32 § 1). Others of the same name were archons in 456 and 377.

It was more usual to remove such ambiguities by adding the archon of the previous year, e.g. *Arg.* to Arist. *Ranae*, ἐπὶ Καλλίου τοῦ μετ' Ἀντιγερῆ (the Callias of the text); Schol. *Ach.* 10, Καλλίου τοῦ μετὰ Μνησίθεον (the Callias of 456). In Schol. *Nub.* 971 Phrynus is said to have been victorious at the Panathenaea ἐπὶ Καλλίου ἀρχοντος, probably B.C. 406, as this was the third year of the Olympiad (Wyse).

Ἀργινοῦσαις] Xen. *Hell.* i 6, 27—38. Cf. Grote, c. 64, v 501—536; Holm, *Gr. Gesch.* ii 573 ff, 585.

τοὺς δέκα στρατηγούς] In Xen. *Hell.* i 5, 16 we have the names of the ten generals: Conon, Diomedon, Leon (also mentioned in 6 § 16, but probably a mistake for Lysias, who is mentioned in 6 § 30, and 7 § 1), Pericles, Erasinides, Aristocrates, Archestratus, Protomachus,

νικῶντας συνέβη κριθῆναι μιᾷ χειροτονίᾳ πάντας, τοὺς μὲν οὐδὲ

Thrasyllus, Aristogenes. Of these Conon was blockaded in the harbour of Mitylene, and was therefore not present at the battle of Arginusae (*Hell.* 6 §§ 16 ff.). Leon and Erasimides were with Cleon when he first made for Mitylene (*l.c.* § 16) and we hear no more of them until we find Erasimides among those engaged in the battle (§ 29). The other generals engaged in it were Aristocrates, Diomedon, Pericles, Protomachus, Thrasyllus, Lysias, and Aristogenes. We know from Lysias 21 § 8 that Archestratus died at Mitylene, though Xenophon is silent on this point; and Erasimides probably left Mitylene on board the vessel mentioned in the passage of Lysias just quoted: ἀποθανόντος δὲ τούτου (Archestratus) ἐν Μυτιλήνῃ Ἐρασιπιδῆς μετ' ἐμοῦ συνέπλει. (Bauer p. 159, assumes that Leon is the tenth general of whom Xenophon is silent, and that he is not identical with the general who bears the name of Lysias.)

Thus only eight of the ten were engaged in the battle; after the battle, the generals were recalled. Two of them, Protomachus and Aristogenes, declined to come. 'Warned of the displeasure of the people and not confiding in their own case to meet it, they preferred to pay the price of voluntary exile' (Grote v 510, c. 64).

Only six returned to Athens. It was ultimately proposed to the Council by Callixenus (*Xen. Hell.* i 7 § 9) and carried, that the case should be decided by the public assembly voting in their tribes by ballot, and that one single vote was to decide the case of all the generals (§ 34, μιᾷ ψήφῳ ἅπαντας κρίνειν). In the assembly it was moved by Euryptolemus that each of the generals should be tried separately (κρίνεσθαι τοὺς ἄνδρας δίχα ἕκαστον, *ib.*). The assembly first voted by show of hands (διαχειροτονίᾳ) in favour of this motion, and then against it; thereupon they condemned all the *right* generals who had taken part in the battle (κατεψηφίσαντο τῶν ναυμαχησάντων στρατηγῶν, ὧς τὸν ὄντων). The six who had returned were put to death.

If we now turn from the narrative in Xenophon to the description in the text, we find several discrepancies: (1) *all* the ten are put on their trial, not eight alone; (2) they are tried μιᾷ χειροτονίᾳ, whereas it was only the vote on the rival motions (including the decision to try them collectively) that was taken by show of

hands, and the final verdict was given by ballot (διαψήφισις). τοὺς μὲν οὐδὲ συναυμαχίσαντας must refer to Conon who was at Mitylene, and to Archestratus who died there. τοὺς δ' ἐπ' ἄλλοις τῶν νεῶς σωθέντας is so far borne out by Xenophon that, according to the statement made in the speech of Euryptolemus (*l.c.* § 32), *one* of the generals was ἐπὶ καταδύσεως νεὺς διασωθείς (cf. *Diod.* xiii 99).

As regards our other authorities, Philochorus (*frag.* 121) speaks of six generals as having been put to death; Diodorus (xiii 101—2) describes six only as actually condemned. According to Andron's *Atthis* (quoted by Pausanias vi 7, 7) the decision was limited to the generals who actually took part in the battle. *Plut. Per.* 37 says of Pericles the younger, τοῦτων...ἀπέκτεινεν ὁ δῆμος μετὰ τῶν συστρατηγῶν. The Schol. on *Aristoph. Ran.* 698 describes four of the generals as having escaped and six as having been put to death. This is somewhat fancifully regarded by Bauer (p. 161) as implying that the charge concerned all the ten.

Plato *Apol.* 32 B says: ὅτε ὑμεῖς τοὺς δέκα στρατηγούς τοὺς οὐκ ἀνελομένους τοὺς ἐκ τῆς ναυμαχίας ἐβουλεύσασθε ἄλλοις κρίνειν παραδόντες, τότε ἐγὼ μόνος τῶν πρυτάνεων ἠσαντιώθη ὑμῶν. [*Plat.*] *Asiack.* 368 D states that all the ten στρατηγοὶ were condemned to death. This account is carelessly followed by *Aelian V. H.* iii 17, οὐκ ἐπεψήφισεν Ἀθηναῖοις (Σωκράτης) τῶν τῶν δέκα στρατηγῶν θάνατον. Cf. *Valerius Max.* iii 8, 3 and *Schol. Aristid.* iii 245, 24 *Dind.*

According to Bauer the 'dream of Thrasyllus' (*Diod.* xiii 97, 6) implies that *seven* of the generals were put to death. The seventh (he suggests) was Leon. *Diodorus* (xiii 101 § 5) states that Conon also was accused but acquitted. Bauer considers the account in the text too definite in its terms (*zu scharf ausgedrückt*), in so far as it takes no note of Conon's acquittal; but he actually regards it as more correct than the narrative in Xenophon. He suggests that Xenophon passes over the case of Leon who had not been present at the battle, because it would put the injustice of the sentence in too extreme a light. In Bauer's opinion the author can only refer to Leon in the vague plural τοὺς οὐδὲ συναυμαχίσαντας, which Bauer admits is an exaggeration.

συνναυμαχήσαντας, τοὺς δ' ἐπ' ἀλλοτρίας νεῶς σωθέντας, ἔξαπατη-
θέντος τοῦ δήμου διὰ τοὺς παροργίσαντας· ἔπειτα βουλομένων
Λακεδαιμονίων ἐκ Δεκελείας ἀπιέναι καὶ ἐφ' οἷς ἔχουσιν ἑκάτεροι
[Col. 15.] εἰρήνην ἄγειν, ἔτιοι μὲν ἐσπούδαζον, τὸ δὲ πλῆθος || οὐχ ὑπήκουσεν
ἔξαπατηθέντες ὑπὸ Κλεοφῶντος, ὃς ἐκώλυσε γενέσθαι τὴν εἰρήνην 10
ἐλθὼν εἰς τὴν ἐκκλησίαν μεθῶν καὶ θώρακα ἐνδεδυκώς, οὐ φάσκων

6 ΕΞΑΠΑΤΗΘΕΝΤΕΣ COTT. K.

8 ΑΝΙΕΝΑΙ: ἀπιέναι J B Mayor, Sidgwick,

Wyse, Blass, Herwerden, Naber, Gennadios, coll. Schol. Arist. *Ran.* 1532, H-L, K-W, κ³.

ΚΑΙ ΕΦ' ΟΙΣ ΕΧΟΥΣΙΝ ΙΡΗΝΗΝ ΕΚΑΤΕΡΟΙ ΑΓΕΙΝ; καὶ ἐφ' οἷς ἔχουσιν ἑκάτεροι εἰρήνην ἄγειν K (H-L);—εἰρήνην ἄγειν ἑκάτεροι Gompertz; ἐφ' οἷς ἔχουσιν ἑκάτεροι καὶ εἰρήνην ἄγειν K-W e Schol. Arist. (et B, in archetypo ἐφ' οἷς ἔχουσιν ἑκάτεροι supra verum adscriptum fuisse arbitratu). 9 ὑπήκουσαν mavult Herwerden. 10 ἔξαπατηθὲν Rutherford.

7—12 *Schol. Arist. *Ran.* 1532; v. Testimonia in p. 129.

ἔξαπατηθέντος τοῦ δήμου] Xen. *Hell.* i 7 § 35, ὅτερον... ἐψηφίσαντο οἱτινες τὸν δῆμον ἐξηπάτησαν, προβολὰς αὐτῶν εἶναι καὶ ἐγγυητὰς καταστήσαι, ἕως ἂν κριθῶσιν.

παροργίσαντας] in Act. hitherto found only in N. T.

ἐκ Δεκελείας ἀπιέναι] Declea had been occupied by Agis since the spring of 413 B.C. (Thuc. vii 19 § 1), and it was retained until the end of the Peloponnesian war. On the site, about 15 miles N.E. of Athens, near the entrance of the defile leading between Parnes and Pentelicus from the plain of Athens to Oropus and Tanagra, see Leake's *Demi* p. 18 and plan in Curtius, *Sieben Karten*.

ἐφ' οἷς ἔχουσιν ἑκάτεροι κτλ.] These overtures after the battle of Arginusae are not mentioned by Xenophon or Diodorus. The terms are the same as those proposed, according to Diodorus (xiii 52), after the battle of Cyzicus in 410 B.C., and opposed by Cleophon (*ib.* 53) (see Grote c. 63, v 458—461). The present overtures are in fact 'a second edition' of those put forward four years previously. Xenophon says nothing of them on either occasion. The account in Diodorus led Grote (c. 65 *init.* p. 537 n) to suppose that the Scholiast on Aristoph. *Ranae* ult., who quotes the present passage, had confounded the two battles. It now appears that the Scholiast's quotation was correct. It is not improbable that Diodorus is wrong. It is to the overtures in the text that we should refer the account in Philochorus, fragm. 117—118 Müller (ap. Schol. ad Eur. *Orest.* 371):—Λακεδαιμονίων πρεσβευσαμένων περὶ εἰρήνης ἀπιστήσαντες οἱ Ἀθηναῖοι οὐ προσήκοντο. Cf. Schol. on l. 722. Grote v 460 n.

ἔξαπατηθέντες ὑπὸ Κλεοφῶντος] In c. 28 § 4 Cleophon (and Callicrates) are described as having 'deceived the people.' Cleophon's action is described as follows in Lysias 13 § 8, *ὅτε γὰρ ἡ πρώτη ἐκκλησία περὶ τῆς εἰρήνης ἐγένετο, καὶ οἱ παρὰ Λακεδαιμονίων ἥκοντες ἐλεγον ἐφ' οἷς ἔτοιμοι εἶεν τὴν εἰρήνην ποιεῖσθαι Λακεδαιμόνιοι, εἰ κατασκευάζει τῶν τευχῶν τὴν μακρῶν ἐπὶ δέκα στάδια ἑκατέρου, τότε ὑμεῖς τε, ὦ ἄν. Ἀθ., οὐκ ἠρέσχεσθε ἀκούσαντες περὶ τῶν τευχῶν τῆς κατασκευῆς, Κλεοφῶν τε ὑπὲρ ὑμῶν πάντων ἀναστὰς ἀντίειπεν ὡς οὐδενὶ τρόπῳ οἷόν τε εἶη ποιεῖν ταῦτα.* Aeschin. *F. L.* 76, Κλεοφῶν... ἀποκόψεν ἡπλὲι μαχαίρᾳ τὸν τράχηλον, εἰ τις τῆς εἰρήνης μνησθήσεται, and *F. L.* 151, παντάπασιν ἔκφρων ἐγένετο (with schol. on 150, where εἰ τις εἰρήνην γεννηθήσεται, printed εἰρήνης γεννητῆς ἔσται, is clearly a mistake for εἰρήνης μνησθήσεται). Cf. Arist. *Ran.* ad fin. Κλεοφῶν δὲ μαχέσθω, and Holden's *Onomasticon* s. v.

μεθῶν καὶ θώρακα ἐνδεδυκώς] It has been suggested (by Hartman) that we should read θώρακα ἔχων and interpret the latter as a metaphorical phrase equivalent to μεθῶν (coll. Aristoph. *Vesp.* 1195 etc). If so, the writer has misinterpreted a phrase borrowed from a comedy and quite out of place here. But there is nothing unreasonable in Cleophon's appearing in armour. His life was not safe, as may be inferred from the animosity with which he was regarded by members of the oligarchical party (Aristoph. *Ran.* 1504, Lys. 13 § 7 ff., 30 § 10 ff.). (Herwerden's n.) It will be remembered that Cicero, at the time of the Catilinarian conspiracy, went down to the *Campus Martius* armed with a *lata insignique lorica* (Cic. *pro Murena*, § 53).

ἐπιτρέψκειν ἂν μὴ πάσας ἀφῶσι Λακεδαιμόνιοι τὰς πόλεις. οὐ 2
 χρυσάμενοι δὲ καλῶς τότε τοῖς πράγμα[σι], μετ' οὐ πολὺν χρόνον
 ἔγνωσαν τὴν ἀμαρ[τίαν]. τῷ γὰρ ὕστερον ἔτει ἐπ' Ἀλεξίου
 15 ἄρχοντος ἠτύχησαν τὴν ἐν Αἰγὸς ποταμοῖς ναυμαχίαν, ἐξ ἧς
 συνέβη κύριον γενόμενον τῆς πόλεως Λύσανδρον καταστήσαι τοὺς
 τριάκοντα τρόπῳ τοιῷδε. τῆς εἰρήνης γενομένης αὐτοῖς ἐφ' ᾧ 3
 πολιτεύονται τὴν πατριον πολιτείαν, οἱ μὲν δημοτικοὶ διασφύζειν
 ἐπειρῶντο τὸν δῆμον, τῶν δὲ γνωρίμων οἱ μὲν ἐν ταῖς ἐταιρείαις
 20 ὄντες καὶ τῶν φυγάδων οἱ μετὰ τὴν εἰρήνην κατελθόντες ὀλιγαρχίας
 ἐπεθύμουν, οἱ δ' ἐν ἐταιρείᾳ μὲν οὐδεμιᾶ συγκαθεστῶτες [ᾗ]λλως
 δὲ δοκοῦντες οὐδενὸς ἐπιλείπεσθαι τῶν πολιτῶν τὴν πατριον
 πολιτείαν ἐξήτουν· ὧν ἦν μὲν καὶ Ἀρχίνος καὶ Ἄνυτος καὶ
 Κλειτοφῶν καὶ Φορμίσιος καὶ ἕτεροι πολλοί, προειστίκει δὲ

12 ἀφίωσι (κ): ἀφῶσι Naber, Gennadios, Richards, K-W, H-L, B e schol. Arist.

C

18 ΔΙΑΔΩΞΕΙΝ; -σῶσειν K¹; -σῶσαι hiatus admissio J B Mayor et Wyse; -σφύζειν Blass, K-W, H-L, K².

20 ΑΡΧΙΑΝ corr. J B Mayor, Rutherford, Blass, Fränkel.

22 ΕΠΙΛΙΠΕΣΘΑΙ: ἐπιλείπει. K, B, ('anλείπεσθαι?') K-W; ἀπολείπει. Richards, Gennadios, Kontos, Hultsch (H-L).

23 ΕΖΗΤΟΥΝ (K, K-W, B): ἐξήλουν H-L.

§ 2. ἐπ' Ἀλεξίου] B.C. 405/4.

ἠτύχησαν τὴν—ναυμαχίαν] an exceptional, but quite intelligible, phrase for expressing 'defeat in the naval engagement.' We have something like it in Aristides ii 334 Dind., Σοφοκλῆς Φιλοκλόουι ἡττᾶτο...τὸν Οἰδίπουν.

ἐν Αἰγὸς ποταμοῖς] Xen. *Hell.* ii 1, 21—32. Plut. *Lysander*, c. 11—12. Grote c. 65, v 542—7.

Λύσανδρον] Lysias 12 §§ 72—76. Plut. *Lys.* 15, τριάκοντα μὲν ἐν ἄστει, δέκα δὲ ἐν Πειραιεὶ καταστήσας ἄρχοντας, Grote c. 65, v 559.

§ 3. τὴν πατριον πολιτείαν] c. 31, l. 3. Xen. *Hell.* ii 3 § 2, ἔδοξε τῷ δήμῳ τριάκοντα ἄνδρας ἐλέσθαι, οἱ τοὺς πατρίους νόμους ἐγγράψουσι, καθ' οὓς πολιτεύουσιν. The term (as Mr Kenyon observes) was 'sufficiently vague,' indicating generally the constitution of Solon; but, as the virtue of the constitution depended on its working, it was possible for moderate democrats, extreme oligarchs, and moderate aristocrats alike to hope that it would be modelled according to their views. Diodorus (xiv 3) recounts the arguments of the opposing parties at some length, and describes Theramenes as urging the Athenians to follow τῇ πατρίῳ πολιτείᾳ.

τῶν γνωρίμων] 2 § 1, 5 § 1, 16 § 9, 28 § 2. ἐταιρείαις] Cf. Thuc. iii 82, 8; viii 54, 4. Hermann, *Staatsalt.* 70, 2 and 10; Schömann, *Ant.* p. 363 E. T.

Ἀρχίνος] Dem. *Timocr.* p. 742 § 135, Ἀρχίνου...τοῦ καταλαβόντος Φυλῆν καὶ μετὰ γε τοὺς θεοὺς αἰτιώσαντο ὄντος τῆς καθόδου τῷ δήμῳ καὶ ἄλλα πολλὰ καὶ καλὰ πεπολιτευμένου καὶ ἐστρατηγηκότος πολλάκις. Isocr. 18 § 2, Aeschin. c. *Ctes.* 187, 195. *Inf.* c. 40 §§ 1, 2.

Ἄνυτος] In the speech made by Theramenes in his defence, in Xen. *Hell.* ii 3 § 42, Anytus is mentioned with Thrasybulus and Alcibiades: οὐκ αὖ ἔδοκε μοι οὔτε Θρασύβουλον οὔτε Ἄνυτον οὔτε Ἀλκιβιάδην φυγαδεύειν, and *ib.* § 44, πότερον ἀεσθε Θρασύβουλον καὶ Ἄνυτον καὶ τοὺς ἄλλους φυγάδας ἃ ἐγὼ λέγω μᾶλλον ἢ ἐνθάδε βούλεσθαι γίγνεσθαι ἢ ἃ οὗτοι πράττουσιν;

Κλειτοφῶν] the proposer of the rider to the proposal of Pythodorus respecting the establishment of the 400 (29 § 3). Isocr. *Callim.* 11 § 30. He is possibly the same as the son of Aristonymus and pupil of Socrates who gives his name to Plato's *Cleitophon*. In Plut. *Mor.* 805 Κλειτοφῶν (mentioned with Cleon) is probably a mistake for Κλεοφῶν.

Φορμίσιος] *Τόποις* to Lysias *Or.* 34, Dionys. Halic. *de Lysia*, c. 32, τοῦ γὰρ δήμου κατελθόντος ἐκ Πειραιῶς, καὶ ψηφισαμένου διαλύσασθαι πρὸς τοὺς ἐν ἄστει, καὶ μηδενὸς τῶν γεγενημένων μνησκακεῖν, δέους δὲ ὄντος, μὴ πάλιν τὸ πλῆθος εἰς τοὺς εὐπρόους ὑβρίζῃ τὴν ἀρχαίαν ἐξουσίαν κεκομσμένον, καὶ πολλῶν ὑπὲρ τούτου γνωμέ-

μάλιστα Θηραμένης. Λυσάνδρου δὲ προσθεμένου τοῖς ὀλιγαρχι- 25
κοῖς καταπλαγεῖς ὁ δῆμος ἠναγκάσθη χειροτονεῖν τὴν ὀλιγαρχίαν.
ἔγραψε δὲ τὸ ψήφισμα Δρακοντίδης Ἀφιδναῖος.

35. οἱ μὲν οὖν τριάκοντα τοῦτον τὸν τρόπον κατέστησαν ἐπὶ
Πυθοδώρου ἄρχοντος. γενόμενοι δὲ κύριοι τῆς πόλεως τὰ μὲν
ἄλλα τὰ δόξαντα περὶ τῆς πολιτείας παρεώρων, πεντακοσίους δὲ
βουλευτὰς καὶ τὰς ἄλλας ἀρχὰς καταστήσαντες ἐκ προκρίτων
ἐκ τῶν χιλίων, καὶ προσελόμενοι σφίσιν αὐτοῖς τοῦ Πειραιεύς 5

XXXV 1 ΚΑΤΕΣΤΗCΕ CORR. K. 5 ἐκ τῶν χιλίων delet Marindin: πεντακισχι-
λίων? K-W, ἐκ τῶν πεντακισχιλίων Thompson, H-L; ἐκ τῶν φυλῶν Hude. καὶ τὰς
ἄλλας ἀρχὰς καταστήσαντες ἐκ προκρίτων ἐκ τῶν χιλίων most misoφρόν in c. 33, 9 ponit
Harberton, mutato χιλίων in πεντακισχιλίων et nostro in loco προσελόμενοι δὲ scripto
ε

(Class. Rev. vi 123). ΠΙΡΑΙΩC: Πειραιῶς K, K-W; Πειραιῶς H-L, B.

TESTIM. XXXIV 27 *Schol. Arist. *Vesp.* 157 Δρακοντίδης: ...ἔστι γὰρ οὗτος ὁ τὸ περὶ
τῶν τριάκοντα ψήφισμα περὶ ὀλιγαρχίας γράψας, ὡς Ἀρ. ἐν πολιτείαις (Frag. 373^a, 411^a).

XXXV 5—6 Bekk. *Anecdota*, p. 235 δέκα τινες εἰσὶ: δέκα ἦσαν τινες ἐν Πειραιεὶ οἱ
ἀρχαῖς κατὰ τὴν τυραννίδα τῶν τριάκοντα. ἀλλὰ καὶ προσέταξαν αὐτοῖς εὐθὺς τῆς
ἀρχῆς δοῦναι, μὴ ἀγνοῶμεν δὲ ὅτι ἕτεροι εἰσὶ δέκα, οὗς Ἀθηναῖοι εἰλοντο μετὰ τὴν τῶν
τριάκοντα κατάλυσιν (c. 38, 5).

ων λόγων, Φορμισίῳ τις τῶν συγκατελθόν-
των μετὰ τοῦ δήμου γνώμην εισηγήσατο,
τοὺς μὲν φεύγοντας κατένει, τὴν δὲ πολι-
τείαν μὴ πᾶσω, ἀλλὰ τοῖς τὴν γῆν ἔχουσιν
παραδοῦναι, βουλομένους ταῦτα γενέσθαι
καὶ Λακεδαιμονίων. Grote c. 66 vi 4;
Schömann, *On Grote*, § 11, holds that it
is wrong to regard Phormisius as an ad-
herent of the oligarchical party; at the
same time he was no friend to extreme
democracy. Schömann's view is sup-
ported by the text.

He was sent with Epicrates and others
as an envoy to Artaxerxes before the Co-
rinthian war and accepted valuable gifts
from the king. The envoys were attacked
for this in the *Πρέσβεις* of Plato, ap.
Athen. 229 F (*frag.* 119 with Kock's
note). He is mentioned in Arist. *Ran.*
965 as an admirer (μαθητής) of Aeschylus.
Didymus, in Schol. *ad loc.*, describes him
as δραστήκιος καὶ τὴν κόμην τρέφων καὶ
φοβερὸς δοκῶν εἶναι.

Λυσάνδρου—τοῖς ὀλιγαρχικοῖς] Dio-
dorus, xiv 3.

ψήφισμα] Isocr. 15 § 67, οἱ μὲν γὰρ
ψήφισματι παραλαβόντες τὴν πόλιν.

Δρακοντίδης] Lysias 12 § 73. Θηρα-
μένης ἐκέλευσεν ὑμᾶς τριάκοντα ἀνδράσιν
ἐπιτρέψαι τὴν πόλιν, καὶ τῇ πολιτείᾳ χρῆσθαι
ἢν Δρακοντίδης ἀπέφαιεν. Aristoph. *Vesp.*
157 with Schol. He was himself nomi-
nated as one of the Thirty (Xen. *Hell.* ii
3 § 2; Hyperid. ap. Harp. s.v.). Cf.
Plat. *Com. frag.* 139 Kock.

XXXV—XXXVII. The Rule of the Thirty.

XXXV § 1. οἱ...τριάκοντα] Dio-
dorus (xix 32 etc) is the first writer who
calls them οἱ τρ. τύραννοι. The same
designation occurs in Plut. *Sull.* 5 and
in later writers.

ἐπὶ Πυθοδώρου ἄρχοντος] δν' Ἀθηναῖοι,
ὅτι ἐν ὀλιγαρχίᾳ ἡρέθη, οὐκ ἀνομάζουσιν,
ἀλλ' ἀναρχίαν τὸν ἐνιαυτὸν καλοῦσιν, Xen.
Hell. ii 3 § 1; cf. however Lys. 7 § 9.

τὰ μὲν ἅλλα—βουλευτὰς—καταστή-
σαντες] Xen. *Hell.* ii 3 § 11, αἰρεθέντες
ἐφ' ᾧτε ξυγγράψαι νόμους, καθ' οὓςτινας
πολιτεύσονται, τοῦτους μὲν δεῖ ἐμελλον
ξυγγράφειν τε καὶ ἀποδεικνύναι, βουλὴν δὲ
καὶ τὰς ἄλλας ἀρχὰς κατέστησαν, ὡς ἐδόκει
αὐτοῖς. τὰς ἄλλας ἀρχὰς, e.g. that
of King-Archon which was filled by
Patrocles, Isocr. *Callim.* 18 § 6.

ἐκ προκρίτων ἐκ τῶν χιλίων] 'out of
those selected beforehand, i.e. out of the
1000.' If χιλίων is right, the reference
is to the Knights. Cf. Philochorus, fragm.
100, ap. Hesych. s.v. ἱππῆς, ἱππεῖς
(ἱππεύουσιν Schow); ἀλλ' εἰσιν ἱππῆς ἄνδρες
ἀγαθοὶ χίλιοι [Aristoph. *Eq.* 225]. σύστημα
πολεμικῶν ἀνδρῶν χιλίων ἱπποῦς τρεφόντων.
Φιλόχορος δὲ ἐν τετάρτῳ εἰρηκε, πότε κατε-
στάθησαν χίλιοι. διάφορα γὰρ ἦν ἱππέων
πλήθη κατὰ χρόνον Ἀθηναίους. Cf. Gilbert's
Gr. St. i 305. The Knights were generally
credited with oligarchical sympathies. Cf.
Martin, *Les Cavaliers Athéniens*, 1886,

ἀρχοντας δέκα καὶ τοῦ δεσμοτηρίου φύλακας ἔνδεκα καὶ μαστιγοφόρους τρια[κ]οσίους ὑπηρέτας, κατεῖχον τὴν πόλιν δι' ἑαυτῶν. τὸ 2
μὲν οὖν πρῶτον μέτριοι τοῖς πολίταις [ῆ]σα[ν] καὶ προσεποιούντο
διδάκειν τὴν πατριον πο[λιτ]είαν, καὶ τοὺς τ' Ἐφιάλτου καὶ
10 Ἀρχεστράτου νόμους τοὺς περὶ τῶν Ἀρεοπαγιτῶν καθεῖλον ἐξ
'Αρείου [πάγου] καὶ τῶν Σόλωνος θεσμῶν ὅσοι διαμφισβη[ή]σ[ι]ς
εἶχον, καὶ τὸ κύρος δ' ἦν ἐν τοῖς δικασταῖς κ[ατέ]λυσαν, ὥς
ἐπανορθοῦντες καὶ ποιοῦντ[ες] ἀναμφισβήτητον τὴν πολιτείαν.

7 ὑπ. del. Rutherford. ΕΛΥΤΩΝ: αὐτῶν J B Mayor sc. τῶν ὑπηρετῶν (H-L).
8 πολитеύμασι Poste. 9 ΔΙΟΙΚΕΙΝ (K coll. c. 27, 11): διώκειν Kontos, Gertz,
K-W, H-L, B, coll. c. 13, 18. 11 ΔΙΑΜΦΙΣΒΗΤ. 13 ΑΝΑΜΦΙΣΒΗΤΗΤΩΝ.
Post annum 329 A.C. etiam in titulis Atticis apparet § aut σς pro σ, e.g. ἐνδέξμους
(329 A.C.). ψήφισμα (paullo post 100 A.C.), Meisterhans, p. 68².

pp. 472—480, *Les Cavaliers et les Trente*.

It is improbable however that the select body, out of which the 500 and the other officials were appointed, numbered only 1000. Hence it has been proposed to read πεντακισχιλίων (or ἐκ τῶν π.), but (as observed by Mr Kenyon) we know of no such body as in existence at this time, unless it is vaguely applied (as under the 400) to all capable of bearing arms.

τοῦ Πικραλῆος ἀρχοντας δέκα] Plut. *Lysander* 15, δέκα δὲ ἐν Πικραλῆϊ καταστήσας ἀρχοντας. Plat. *Epist.* vii p. 324 B. Scheibe, *Oligarchische Umwälzung*, p. 68.

ἔνδεκα] c. 52 § 1. Xen. *Hell.* ii 3 § 54. This new board of Eleven was under the control of Satyrus, one of the most violent partisans of the Thirty.

μαστιγοφόρους] The word occurs in Thuc. iv 47. Xen. *Hell.* ii 3 § 23 mentions certain νεάνισκοι, who carried out the orders of the Thirty, but their number is not specified.

§ 2. μέτριοι] cf. Xen. *Hell.* ii 3 § 12. The Thirty began by attacking the σκοφάνται alone. Plut. *Mor.* ii pp. 959, 998. *Inf.* l. 18.

Ἐφιάλτου] c. 25 § 2.
'Αρχεστράτου] Possibly the στρατηγός of that name in the Peloponnesian war, a son of Lycomedes (Thuc. i 57 § 4; Xen. *Hell.* i 5, 16; ii 2, 15). He died at Mitylene (Lys. 21 § 8). In Thuc. viii 74 § 1 we have an Archestratus, who is described as the father of Chaereas.

Mr Kenyon conjectures that 'probably Archestratus was one of the supporters of Ephialtes, and some of the laws curtailing the power of the Areopagus stood in his name.'

καθεῖλον ἐξ Ἀρείου πάγου] This implies that the laws of Ephialtes &c limiting the powers of the Areopagites were actually preserved on the Areopagus and that the Thirty removed them from the hill of Ares and thereby virtually repealed them. The context further implies that the laws of Solon were also preserved on the Areopagus, whereas they were really preserved in the Prytaneum (note on 7 § 1, κύρβεις). Possibly we should strike out ἐξ Ἀρείου πάγου. As a milder remedy we may remove the comma after εἶχον, so as to bring the laws of Solon here referred to under the influence of the verb κατέλυσαν: but as the text stands, the laws of Solon are coupled to those of Ephialtes and Archestratus and can only be separated from them by striking out τ' before Ἐφιάλτου.

Σόλωνος] Schol. Aeschin. i § 39, οἱ λ' τύραννοι... ἐλυμήναντο τοὺς Δράκοντος καὶ Σόλωνος νόμους.

θεσμῶν] c. 12 § 4 l. 45, in the Iambic lines from Solon.

διαμφισβητήσις] In c. 9 § 2 it has been remarked that the right of appeal to a lawcourt was one of the strongest points in the democracy as constituted by Solon. In the same passage the ambiguities in the law of property and the law of 'heir-esses' are described as giving additional power to the lawcourts. Some of these ambiguities are removed by the Thirty and the power of the lawcourts (and the commons) *pro tanto* diminished.

ἀναμφισβήτητον] an epithet of κρείς in *Pol.* iii 13, 1283 b 4, and coupled with φανερόν in 1332 b 20 and *Categ.* 5, 3 b 4. The adverb is found in *Categ.* 8, 11 a 2.

[Col. 16.] οἷο[ν] <τὸν> || περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλῃ κύριον ποιήσαντες καθάπαξ, τὰς δὲ προσοῦσας δυσκολίας 'ἐὰν μὴ μανιῶν ἢ γήρως <ἐνεκα> ἢ γυναικὶ πιθόμενος' ἀφείλον, ὅπως μὴ ἢ τοῖς συκοφάνταις ἔφοδος· ὁμοίως δὲ τοῦτ' ἔδρων καὶ ἐπὶ τῶν ἄλλων.
 3 κατ' ἀρχὰς μὲν οὖν ταῦτ' ἐποιοῦν καὶ τοὺς συκοφάντας καὶ τοὺς τῷ δήμῳ πρὸς χάριν ὁμιλοῦντας παρὰ τὸ βέλτιστον καὶ κακοπραγμονας ὄντας καὶ πονηροὺς ἀνέηρουν, ἐφ' οἷς ἔχαιρεν ἢ πόλις
 4 γιγνομένοις, ἡγούμενοι τοῦ βελτίστου χάριν ποιεῖν αὐτούς. ἐπεὶ δὲ τὴν πόλιν ἐγκρατέστερον ἔσχον, οὐδενὸς ἀπείχοντο τῶν πολιτῶν, ἀλλ' ἀπέκτεινον τοὺς καὶ ταῖς οὐσίαις καὶ τῷ γένει καὶ τοῖς

14 οἷον <τὸν> K-W. ἂν <τις> H-L. ΠΟΙΗCΑΝΤΕC: ἐποίησαν 'emendatio incerta, nec praestat ποιήσαντες καθάπαξ, τὰς προσοῦσας δυσκολίας' K-W. 15 ΜΑΝΙΩΝΗΓΗΡΩΝ, μανιῶν ἢ γήρως K, K-W: μανιῶν ἢ γήρως <ἐνεκα> Blass et Wyse, coll. [Dem.] 46 § 14; μανιῶν ἢ γήρως <ἢ φαρμάκων ἢ νόσου ἐνεκεν παρανοῶν> Poland; eadem (nisi quod ἐνεκα malunt et παρανοῶν non accipiunt) H-L. 16 ΠΙΘΟΜΕΝΟC (edd.): πειθόμενος Wyse et Poland coll. [Dem.] l.c. 'sed praestat aoristus (= πεισθεῖς)' H-L. 19 καὶ secl. K-W. 20 ἔχαιρον propter participium ἡγούμενοι retineri posse putat K, retinent H-L, B: ἔχαιρεν Sidgwick, Rutherford (K-W, H-L). 21 ΓΙΓΝ (edd.). 22 ΑΠΕΚΤΕΙΝΑΝ (K): ἀπέκτεινον Blass, Kontos, H-L, K-W.

περὶ τοῦ δοῦναι τὰ ἑαυτοῦ ᾧ ἂν ἐθέλῃ] Plut. Sol. 21, εὐδοκίμησε δὲ κἀν τῷ περὶ διαθηκῶν νόμῳ· πρότερον γὰρ οὐκ ἔξην, ἀλλ' ἐν τῷ γένει τοῦ τεθηγκότος εἶδει τὰ χρήματα καὶ τὸν οἶκον καταμένειν, ὃ δ' ᾧ βούλεται τις ἐπιτρέψας, εἰ μὴ παῖδες ὦσι γήρῳι, δοῦναι τὰ αὐτοῦ κτλ. οὐ μὴν ἀνέτην γε πάλιν οὐδ' ἀπλῶς τὰς δόσεις ἐφῆκεν, ἀλλ' εἰ μὴ νόσον ἐνεκεν ἢ φαρμάκων ἢ δεσμῶν ἢ ἀνάγκῃ κατασχεθεῖς ἢ γυναικὶ πειθόμενος. See note on Dem. *Lept.* § 102.

καθάπαξ] 'absolutely.' Under Solon's law it was in the event of a man's having no legitimate children that he could make a will at all. Possibly the Thirty made the right absolute.

τὰς προσοῦσας δυσκολίας] either 'the inconvenient limitations attaching thereto' or 'the additional inconvenient limitations'; probably the former.

ἐὰν μὴ μανιῶν—πιθόμενος] [Dem.] 46 § 14, ἐὰν μὴ μανιῶν ἢ γήρως ἢ φαρμάκων ἢ νόσου ἐνεκα, ἢ γυναικὶ πειθόμενος, and § 16, νοσοῦντα ἢ φαρμακίῳ ἢ γυναικὶ πειθόμενον ἢ ὑπὸ γήρως ἢ ὑπὸ μανιῶν ἢ ὑπὸ ἀνάγκης τινας καταληφθέντα. 48 § 56, ἀκυρά γε ταῦτα πάντα ἐνομοθέτησεν εἶναι ὁ Σόλων, ὃ τι ἂν τις γυναικὶ πειθόμενος πράττῃ. Lys. frag. 74, τῆς διαθέσεως... ἦν ἐκείνος διέθετο οὐ παρανοῶν οὐδὲ γυναικὶ πεισθεῖς. Isaeus 6 § 9, ἐὰν μὴ δρα μαρεῖς ἢ ὑπὸ γήρως κτλ. § 3. τοὺς συκοφάντας κτλ.] Xen. *Hell.*

ii 3, 12, πρῶτον μὲν οὐς πάντες ἤδεσαν ἐν τῇ δημοκρατίᾳ ἀπὸ συκοφαντίας ζῶντας καὶ τοῖς καλοῖς κάγαθοῖς βαρεῖς ὄντας συλλαμβάνοντες ἐπήγον θάνατον· καὶ ἢ τε βουλὴ ἡδῶς αὐτῶν κατεψηφίζετο, ὅτε τε ἄλλοι, ὅσοι ἐξηγήδεσαν ἑαυτοῖς μὴ ὄντες τοιοῦτοι, οὐδὲν ἤχοντο. Lysias 13 § 5, (οἱ τριάκοντα) φάσκοντες χρῆναι τῶν ἀδίκων καθαρὰν ποιῆσαι τὴν πόλιν. Plato, then a young man of 24, and a nephew of Critias, was at first misled by these splendid professions, *Epist.* 324 BC (Grote, v 562).

πρὸς χάριν] (λέγειν τι) Xen. *Mem.* iv 4, 4: *Hell.* vi 3, 7; *Rhet.* i 1, 1354 ὃ 34, ἀκροᾶσθαι πρὸς χάριν. *Pol.* iii 16, 1287 a 38, πολλὰ πρὸς ἐπῆρειαν καὶ χάριν πράττειν. *Eik.* 10, 2, 1173 ὃ 33, (ὁ φίλος) πρὸς τὰγαθὸν ὁμολεῖν δοκεῖ, (ὁ κόλαξ) πρὸς ἡδονήν.

Theramenes protested against putting people to death simply because they had enjoyed influence under the democracy: 'Even you and I (he reminded Critias) have both said and done many things for the sake of popularity' Xen. *Hell.* ii 3 § 15 (Grote, v 565).

§ 4. οὐδενὸς ἀπείχοντο κτλ.] Xen. *Hell.* ii 3 § 14, οὐς ἐβούλοντο ἐπιελάμβανον, οὐκέτι τοὺς πονηροὺς τε καὶ ὀλίγου ἀξίους.

ἀπέκτεινον κτλ.] *id.* § 15 (ὁ Κριτίας) προσητὴς ἦν ἐπὶ τὸ πολλοὺς ἀποκτείνειν, and § 17, ἀποθησκόντων πολλῶν καὶ ἀδίκων. Among those who were put to death were Strombichides and other officers who were attached to the demo-

ἀξιώμασιν προέχοντας, ὑπεξαίρουμένοι τε τὸν φόβον καὶ βουλό-
 25 μνοι τὰς οὐσίας διαρπάξιν· καὶ χρόνου διαπεσόντος βραχέος, οὐκ
 ἐλάττους ἀνηγήκεσαν ἢ χιλίους πεντακοσίους.

36. οὕτως δὲ τῆς πόλεως ὑποφερομένης, Θηραμένης ἀγανακτῶν
 ἐπὶ τοῖς γιγνομένοις τῆς μὲν ἀσελγείας αὐτοῖς παρῆναι παύσασθαι,
 μεταδόναι δὲ τῶν πραγμάτων τοῖς βελτίστοις. οἱ δὲ πρῶτον
 ἐναντιωθέντες, ἐπεὶ διεσπάρησαν οἱ λόγοι πρὸς τὸ πλῆθος καὶ
 5 πρὸς τὸν Θηραμένην οἰκείως εἶχον οἱ πολλοί, φοβηθέντες μὴ
 προστάτης γενόμενος τοῦ δήμου καταλύσῃ τὴν δυναστείαν κατα-
 λέγουσιν τῶν πολιτῶν τρισχιλίους ὡς μεταδώσαντες τῆς πολιτείας.
 Θηραμένης δὲ πάλιν ἐπιτιμᾷ καὶ τούτοις, πρῶτον μὲν ὅτι, βουλό- 2
 μνοι μεταδόναι τοῖς ἐπικεικῇ, τρισχιλίους μόνοις μεταδιδόασιν, ὡς
 10 ἐν τούτῳ τῷ πλῆθει τῆς ἀρετῆς ὠρισμένης, ἐπειθ' ὅτι δύο τὰ ἐναν-
 τιώτατα ποιοῦσιν, βίαιόν τε τὴν ἀρχὴν καὶ τῶν ἀρχομένων ἥττω
 κατασκευάζοντες. οἱ δὲ τούτων μὲν ὠλυγώρησαν, τὸν δὲ κατάλογον

24 ἀξιώμασι H-L.
 θῶντος Herwerden.

XXXVI 1 οὕτω H-L.

25 ΔΙΑΠΕΣΟΝΤΟΣ (edd.)? : διαλιπόντος J B Mayor, διελ-

2 ΓΙΝ (K-W).

3 ΠΡΩΤΟΙ COG. K.

6 κατα-
 ΚΑ

λέγουσι H-L.

7 ΔΙΣΧΙΛΙΟΥΣ COG. K.

9 μεταδιδόασιν H-L.

12 ΜΕΤΑ-

ΚΕΥΑΖΟΝΤΕΣ.

XXXV 26 Heraclides epitoma, Frag. 611, 6³ (locus infra exscriptus).

cracy (Lysias 13 § 13; 30 § 14); Lycurgus who belonged to one of the most eminent sacred *gentes* in the State ([Plut.] *Vit. Orat.* p. 838); a wealthy man named Antiphon; Leon of Salamis (Plat. *Apol.* p. 32); and even Niceratus the son, and Eucrates the brother, of Nicias, Xen. *Hell.* ii 3, 39—41; Lysias 18 §§ 5—8 (Grote v 566).

ὑπεξαίρουμένοι—φόβον] 'cunningly removing (making away with) all whom they had reason to fear.' Plat. *Rep.* 567 B, and in pass. Thuc. viii 70 (of the Four Hundred) *ἀνδρας...ἀπέκτειναν οὐ πολλοὺς οἱ ἐδόκουν ἐπιτήδεια εἶναι ὑπεξαίρεθῃναι*. Either τὸν φόβον, as suggested by Mr W. L. Newman (*Class. Rev.* v 164 δ), is the 'object of their fear' (a somewhat poetic usage), or we must render the passage 'getting quit of their own apprehension.'

χιλίους πεντακοσίους] Heraclides 9, καὶ ἀνείλον οὐκ ἐλάσσους χιλίων φ'. Isocr. *Ateop.* 67 (of the Thirty), οἱ μὲν γὰρ ψήφισματι παραλαβόντες τὴν πόλιν πεντακοσίους μὲν καὶ χιλίους τῶν πολιτῶν ἀκρίτους ἀπέκτειναν, *Paneg.* 131. Aeschin. *Ctes.* § 235. Cf. Grote v 577 n. The Schol.

on Aeschin. i § 39 quotes Lysias for the number 2500.

XXXVI § 1. ὑποφερομένης] c. 25 § 1. Θηραμένης κτλ.] Xen. *Hell.* ii 3 §§ 15—17.

διεσπάρησαν] δ. λόγων, Xen. *Hell.* v i § 25.

φοβηθέντες—πολιτείας] Xen. *Hell.* ii 3 § 18, ἐκ τούτου μέντοι Κριτίας καὶ οἱ ἄλλοι τῶν τριάκοντα, ἤδη φοβούμενοι καὶ οὐχ ἡκιστα τὸν Θηραμένην, μὴ συρρύνεισαν πρὸς αὐτὸν οἱ πολῖται, καταλέγουσι τρισχιλίους τοὺς μετέξοντας δὴ τῶν πραγμάτων.

προστάτης τοῦ δήμου] c. 21 l. 9; c. 28 § 2.

§ 2. Θ. πάλιν ἐπιτιμᾷ] Xen. *Hell.* ii 3 § 19, ὁ δ' αὖ Θ. καὶ πρὸς ταῦτα ἐλεγεν, ὅτι ἀποπον δοκοῖν ἐαυτῷ γε εἶναι τὸ πρῶτον μὲν βουλομένους τοὺς βελτίστους τῶν πολιτῶν κοινωνοὺς ποιῆσθαι τρισχιλίους, ὥσπερ τὸν ἀριθμὸν τούτων ἔχοντά τινα ἀνάγκην καλοῦς κάγαθους εἶναι, καὶ οὐτ' ἐξω τούτων σπουδαίους οὐτ' ἐντὸς τούτων πονηροὺς ὁλόν τε εἰη γενέσθαι· ἔπειτα δ', ἔφη, ὅρῳ ἐγωγε δύο ἡμᾶς τὰ ἐναντιώτατα πράττοντας, βίαιαν τε τὴν ἀρχὴν καὶ ἥττω τῶν ἀρχομένων κατασκευάζομεν.

τὸν δὲ κατάλογον κτλ.] The narrative in Xenophon (*Hell.* ii 3 § 20) pro-

τῶν τρισχιλίων πολὺν μὲν χρόνον ὑπερεβάλλοντο καὶ παρ' αὐτοῖς ἐφύλαττον τοὺς ἐγνωσμένους, ὅτε δὲ καὶ δόξειεν αὐτοῖς ἐκφέρειν τοὺς μὲν ἐξήλειφον τῶν <ἐγ>γεγραμμένων, τοὺς δ' ἀντενέγραφον ¹⁵ τῶν ἔξωθεν.

37. ἤδη δὲ τοῦ χειμῶνος ἐνεστῶτος, καταλαβόντος Θρασυβούλου μετὰ τῶν φυγάδων Φυλὴν, καὶ κατὰ τὴν στρατιὰν ἦν ἐξήγαγον οἱ τριάκοντα κακῶς ἀποχωρήσαντες, ἔγνωσαν τῶν μὲν ἄλλων τὰ ὅπλα παρελέσθαι, Θηραμένην δὲ διαφθεῖραι τόνδε <τόν> τρόπον. νόμους εἰσήνεγκαν εἰς τὴν βουλὴν δύο κελεύοντες || ⁵ [Col. 17.] ἐπιχειροτονεῖν, ὧν ὁ μὲν εἰς αὐτοκράτορας ἐποίει τοὺς τριάκοντα

13 ὑπερβαλλ. 14 συμφέρειν van Leeuwen. 15 ΓΕΓΡΑΜΜΕΝΩΝ (K): <ἐγ> γεγραμμένων Herwerden (H-L, K-W, B).

XXXVII 2 καὶ secl. K-W.

ΣΤΡΑΤΙΑΝ K, H-L, B: στρατεῖαν K-W.

3 ol

τριάκοντα del. Richards (H-L), ante ἔγνωσαν ponit J B Mayor. corr. K. 5 <τόν> K-W, H-L, K², B, coll. c. 7, 8.

4 παριεσθαί

ceeds immediately with an account of the review of the 3000 in the *agora* and of the rest (τῶν ἔξω τοῦ καταλόγου) elsewhere. The κατάλογος is the list of the 3000 referred to by Theramenes in Xen. *Hell.* ii 3 § 52, ἱκετεύω... μὴ ἐπὶ Κριτίᾳ εἶναι ἐξαλεφθῆναι... ὃν ἂν βούληται, ἀλλ' ὅνπερ νόμον οὗτοι ἔγραψαν περὶ τῶν ἐν τῷ καταλόγῳ, κατὰ τοῦτον... τὴν κρίσιν εἶναι, *ib.* 4 § 28.

ἀντενέγραφον] The word is used by Dem., but only in the pass.

XXXVII § 1. τοῦ χειμῶνος ἐνεστῶτος] the winter of B.C. 404/3.

καταλαβόντος — Φυλὴν] Xenophon (*Hell.* ii 3, 23—56) completes the story of the opposition of Theramenes to the proceedings of the Thirty, and his consequent death, before relating the capture of Phyle by Thrasybulus. In ii 4, 1, after the death of Theramenes, the opponents of the Thirty were compelled to withdraw, and many of them went to Megara and Thebes. Thereupon (ἐκ τούτου § 2) Thrasybulus ὁρμηθεὶς ἐκ Θηβῶν ὡς σὺν ἑβδομηκοντα Φυλὴν χωρίον καταλαμβάνει ἱσχυρῶν. In the text the occupation of Phyle, and the defeat of the force sent out by the Thirty against the holders of that fort, are described as the cause of the disarmament of the general body of citizens and the execution of Theramenes.

This implies that Thrasybulus held Phyle for a longer time than has generally been supposed. It was not long after the surrender of Athens, on the 16th of Munychion (end of April), that the Thirty came into power, probably early in May,

404. Cleocritus in Xen. *Hell.* ii 4, 21, speaking immediately after the battle which ensued on the occupation of Munychia, describes the rule of the Thirty as having lasted for eight months. This brings us to the end of December, 404.

It was not until the small force which originally occupied Phyle, variously stated as 30, 60, 70 or over 100 (Grote v 585), had increased to 1000 that Thrasybulus advanced on Athens. Mr Kenyon suggests that 'they probably remained for two or three of the winter months at Phyle.' The fact that it was during the winter that Phyle was in occupation is illustrated by the narrative of the snow-storm which thwarted the Thirty in their attempt to blockade Phyle after their first repulse (Xen. *Hell.* ii 4, 2).

τὰ ὅπλα παρελέσθαι] Xen. *Hell.* ii 3 § 20, τὰ ὅπλα πάντων πλήρ τῶν τρισχιλίων παρεῖλοντο, and *ib.* § 41. *Pol.* 1311a 8 ff. νόμους εἰσήνεγκαν] asyndeton.

αὐτοκράτορας—τρισχιλίων] Xen. *Hell.* ii 3 § 51 (Critias *loquens*), ἐστὶ δὲ ἐν τοῖς καινοῖς νόμοις τῶν μὲν ἐν τοῖς τρισχιλίοις ὅντων μηδένα ἀποσπᾶσκειν ἀνευ τῆς ὑμετέρας ψήφου, τῶν δ' ἐξω τοῦ καταλόγου κυρίους εἶναι τοὺς τριάκοντα θανατοῦν. ἐγὼ οὖν, ἔφη, Θηραμένην τοιούτῳ ἐξαλεφῶ ἐκ τοῦ καταλόγου ξυνδοκοῦν ἀπασιν ἡμῶν καὶ τοῦτον, ἔφη, ἡμεῖς θανατοῦμεν. This implies that there were other *kanonoi* νόμοι, and the second given in the text, but unrecognised by Xenophon, would be one of them. But if it had already been passed before the meeting of the Council at which Critias denounced Theramenes,

- τῶν πολιτῶν ἀποκτεῖναι τοὺς μὴ τοῦ καταλόγου μετέχοντας τῶν τρισχιλίων, ὁ δ' ἕτερος ἐκώλυε κοινωνεῖν τῆς παρούσης πολιτείας ὅσοι τυγχάνουσιν τὸ ἐν Ἡετιωνείᾳ τεῖχος κατασκάψαντες, ἢ τοῖς
- 10 τετρακοσίοις ἐναντίον τι πράξαντες [ἢ] τοῖς κατασκευάσασι τὴν προτέραν ὀλιγαρχίαν· ὧ[ν] ἐτύγχανεν ἀμφοτέρων κεκοινωνηκῶς ὁ Θηραμένης, ὥστε συνέβαινεν ἐπικυρωθέντων τῶν νόμων ἔξω τε γίγνεσθαι τῆς πολιτείας αὐτὸν καὶ τοὺς τριάκοντα κυρίους εἶναι θανατοῦντας. ἀναιρεθέντος δὲ Θηραμένου τὰ τε ὅπλα παρείλοντο
- 15 πάντων πλὴν τῶν τρισχιλίων, καὶ ἐν τοῖς ἄλλοις πολὺ πρὸς ὀμότητα καὶ πονηρίαν ἐπέδοσαν.— πρέσβεις πέμφαντες εἰς

7 τῶν τρισχιλίων *delere vult* B. 9 *τυγχάνουσι* H-L. 10 ἡ *secl.* K-W, H-L. 14 ΘΑΝΑΤΟΥΝΤΑΣ (K, K-W) *defendit* Kontos coll. Thuc. v 34, Plat. *Leg.* 878 E, Polyb. iii 85, 2 etc.: *θανατοῦν* Lacon, Keil, (+ αὐτῶν Poland), coll. Xen. *Hell.* ii 13, 51. 16 πρέσβεις <δέ> J B Mayor, Blass, Hude (H-L, K³, B): ante πρέσβεις *lacunam* indicant K-W; verba πρέσβεις—ἐφρούρουν olim in fine capitis 36 locum habuisse censet van Leeuwen.

the latter would obviously have withdrawn from Athens. The only alternative is to suppose, with Mr Kenyon, that Critias proposed the second law on the spot and 'forced it down the throat of the council by the threat of armed force.' This is not inconsistent with striking the name of Theramenes out of the list of the 3000, the only detail recorded by Xenophon, who omits the second law as superfluous, and as therefore marring the dramatic effect of his narrative.

Cf. Isocr. 18 § 16, οὐδένα φανήσομαι τῶν πολιτῶν οὐτε χρήμασι ζημιώσας οὐτε περὶ τοῦ σώματος εἰς κίνδυνον καταστήσας, οὐτ' ἐκ μὲν τῶν μετεχόντων τῆς πολιτείας ἐξαλείψας εἰς δὲ τὸν μετὰ Λυσάνδρου κατάλογον ἐγγράψας.

τὸ ἐν Ἡετιωνείᾳ τεῖχος κατασκάψαντες] 'the projecting mole which contracted and commanded, on the northern side, the narrow entrance of Peiraeus,' Grote c. 62, v 403, 408, 412. See Map of Peiraeus in Curtius, *Sieben Karten*, no. 2.

Thuc. viii 90 § 1, τὸ ἐν τῇ Ἡετιωνείᾳ καλουμένην τεῖχος ἐποιοῦντο. *id.* 90 § 3, ἦν δὲ τοῦ τεύχους ἡ γνώμη αὕτη, ὡς ἔφη Θηραμένης καὶ οἱ μετ' αὐτοῦ, οὐχ ἵνα τοὺς ἐν Σάμῳ, ἦν βία ἐπιπλέωσι, μὴ δέξωνται ἐς τὸν Πειραιᾶ, ἀλλ' ἵνα τοὺς πολεμίους μάλιν, δταν βούλωνται, καὶ ναοὶ καὶ περὶ δέξωνται. *χηλὴ γάρ ἐστι τοῦ Πειραιῶς ἡ Ἡετιωνεία, καὶ παρ' αὐτῇ ἐσθὺς ὁ ἐσπλιος ἐστιν.* *id.* 92 § 10, τῶν Θηραμένην ἡρώτων εἰ δοκεῖ αὐτῷ ἐπ' ἀγαθῷ τοῦ τεύχους οἰκοδομεῖσθαι, καὶ εἰ ἀμεινον εἶναι καθαιρεθῆναι. ὁ δὲ, ἐπεὶ καὶ ἐκείνος δοκεῖ καθαιρεῖν, καὶ ἐαυτῷ ἔφη ξυνδοκεῖν. καὶ ἐντεῦθεν εὐθὺς

ἀναβάντες οἱ τε ὅπλα καὶ πολλοὶ τῶν ἐκ τοῦ Πειραιῶς ἀνδρῶν κατέκαπτον τὸ τεῖχος. In [Dem.] *Theocr.* § 17 p. 1343, the incident is wrongly referred to the time of the Thirty.

§ 2. ὅπλα παρείλοντο] This has already been mentioned as resolved by the Thirty, in § 1. Xenophon places the actual disarmament before the execution of Theramenes, *Hell.* ii 3, 20.

πολὺ πρὸς ὀμότητα—ἐπέδοσαν] Xen. *Hell.* ii 3, 21, πολλοὶ μὲν ἔχθρας ἐνεκα ἀπέκτεινον, πολλοὺς δὲ χρημάτων. It was after the disarmament, and before the death of Theramenes, that, according to Xenophon, ten of the μέτοκα became the victims of the Thirty. Among these was Polemarchus, the brother of Lysias (Lys. 12 § 17).—*Categ.* 10, 13 a 24 ἐπιβολὴ αὐ εἰς τὸ βέλτιον εἶναι, *Eth.* 10, 5, 1175 a 35, ἐπιδιδόσιν εἰς τὸ οἰκεῖον ἔργον. *Magis Mor.* i 9, 1186 b 29, πρὸς ἂ μᾶλλον ἐπιδίδομεν. Isocr. 33 B, ἐ, πρὸς εὐδαιμονίαν.

πρέσβεις πέμφαντες] This asyndeton is not justifiable on the same grounds as νόμους εἰσήνεγκαν in the second sentence of this chapter; and betrays some serious disturbance of the text. 'There is no connexion whatever between the first of these sentences and those that go before them, and the coming of Callibius preceded the final measures taken against Theramenes' (*Edinburgh Review*, 1891 p. 478). Besides, it is too late to accuse Theramenes when he is already executed. There is thus every reason for believing (with van Leeuwen) that this paragraph ought to be transferred to

Λακεδαίμονα τοῦ τε Θηραμένους κατηγοροῦν καὶ βοηθεῖν αὐτοῖς ἡξίουν· ὧν ἀκούσαντες οἱ Λακεδαιμόνιοι Καλλίβιον ἀπέστειλαν ἄρμοσθην καὶ στρατιώτας ὥς ἑπτακοσίους, οἱ τὴν ἀκρόπολιν ἐλθόντες ἐφρούρουν. 10

38. μετὰ δὲ ταῦτα καταλαβόντων τῶν ἀπὸ Φυλῆς τὴν Μουνιχίαν, καὶ νικησάντων μάχῃ τοὺς μετὰ τῶν τριάκοντα βοηθήσαντας, ἐπαναχωρήσαντες μετὰ τὸ[ν] κίνδυνον οἱ ἐκ τοῦ ἄστεως καὶ συναθροισθέντες εἰς τὴν ἀγοράν, τῇ ὑστεραίᾳ τοὺς μὲν τριάκοντα κατέλυσαν, αἰροῦνται δὲ δέκα τῶν πολιτῶν αὐτοκράτορας ἐπὶ τὴν 5 [τοῦ πο]λέμου κατάλυσιν. οἱ δὲ παραλαβόντες τὴν ἀρχὴν ἐφ' οἷς μὲν ἡρέθησαν οὐκ ἔπραττον, *ἐπέ[στελλον] δ' εἰς Λακεδαίμονα 2 βοήθειαν μεταπε[μπόμ]νοι καὶ χρήματα δανειζόμενοι. χαλεπῶς δὲ [φε]ρόντων ἐπὶ τούτοις τῶν ἐν τῇ πολιτείᾳ, φο[βούμεν]οι μὴ καταλυθῶσιν τῆς ἀρχῆς καὶ βουλόμενοι κατ[απληξ]αι τοὺς ἄλλους 10 (ὅπερ ἐγένετο), συλλαβόντες [Δ]ημάρετον οὐδενὸς ὄντα δεύτερον τῶν πολιτῶν ἀπέκτειναν, καὶ τὰ πράγματα βεβαίως εἶχον, συνα-

17 ΑΥΤΟΙΣ (K, H-L): αὐτοῖς K-W, αὐτοῖς B.

XXXVIII 2 et 16 ΜΟΥΝΥΧΙΑΝ. Cf. c. 19, 5. 4 CΥΝΑCΘΡΟΙCΘ? 6 ΕΝΟΙC corr. K. 7 ἐπ[ε]ρ[έ]βεν[σ]α[ν] K (K-W): ἐπ[ε]μ[ψα]ν H-L, B; spatium litteras aliquanto plures quam ἐπ[ε]μ[ψα]ν, paullo pauciores quam ἐπ[ε]ρ[έ]βεν[σ]α[ν], postulare videtur; scripsi ἐπ[ε]στ[ε]λλον, coll. Thuc. viii 38 ἐπιστέλλει—εἰς τὴν Λακεδαίμονα. 10 καταλυθῶσι H-L. 11 Δημάρετον Blass (K-W, H-L, K³); post hoc nomen ἀρετῇ fortasse recte inserit Richards. 12 συναγωνιζομένων papyrus habere putabant H-L.

TESTIMONIA. XXXVIII 5 Bekk. An. 235—6 (cf. Testim. ad xxxv 5—6).

some such place as the end of c. 36. Xenophon's narrative (*Hell.* ii 3 §§ 13, 14), as noticed by Mr Kenyon, is supported by Diodorus xiv 4, and is in itself more probable than that in the text:—'It would hardly have been possible for the Thirty to have carried on their Reign of Terror without an armed force at their backs, whereas Aristotle represents it as having occurred while the whole body of Athenians was still in possession of weapons.' Part of this objection is removed by transferring the passage to the end of c. 36, but we still have the protests of Theamenes placed after, instead of before, the arrival of the Spartan garrison.

Καλλίβιον Xen. *l.c.* and Plut. *Lysand.* 15 *ad fin.* In neither of these passages is the number of the garrison mentioned.

XXXVIII—XL. *The Rule of the Ten.* *The end of the oligarchical revolution and the restoration of the democracy.*

XXXVIII § 1. καταλαβόντων—Μουνιχίαν κτλ.] Xen. *Hell.* ii 4, 11—19. *Andoc. De Myst.* 80.

ἐπαναχωρήσαντες κτλ.] Xen. *l.c.* § 22, τοὺς μεθ' αὐτῶν ἀπήγαγον εἰς τὸ ἄστυ.

τοὺς τριάκοντα κατέλυσαν κτλ.] *ib.* 23, ἐψηφίσαντο ἐκείνους μὲν καταπαῖσαι, ἄλλους δὲ ἐλέσθαι. καὶ εἰλοντο δέκα, ἓνα ἀπὸ φυλῆς.

The appointment of the Ten is described by Lysias, *c. Eratosth.* 12 § 54, ἀρχοντας δὲ τοὺς ἐκείνους ἐχθίστους εἰλοντο. Among them were Pheidon, formerly one of the Thirty, with Hippocles and Epichares and others who were regarded as opposed to the extreme party of Charicles and Critias (§ 55). λαβόντες...τὰς ἀρχὰς καὶ τὴν πόλιν ἀμφοτέροις ἐπολέμουν, τοῖς τε τριάκοντα πάντα κακὰ εἰργασμένοις καὶ ὡμῶν πάντα κακὰ πεπονθόσι (§ 57). ἐπέστελλον κτλ.] (Pheidon) ἐλθὼν εἰς Λακεδαίμονα ἐπειθεν αὐτοὺς στρατεύεσθαι...οὐ δυνάμενοι δὲ τούτων τυχεῖν...ἐκατὸν τάλαντα ἐδανείσατο, ἵνα ἔχοι ἐπικούρους μισθοῦσθαι (§ 58—59). They were appointed soon after the time when περὶ [τῶν] διαλλαγῶν οἱ λόγοι ἐγένοντο (§ 53), but their policy tended οὐ διαλλάξει ἀλλ' ἀπολέσει...τὴν πόλιν (§ 60). The 100 talents are also mentioned by Xen. *Hell.* ii 4, 28. Suidas and Harp. *s.v.* δέκα.

γωνιζομένου Καλλιβίου τε καὶ τῶν Πελοποννησίων τῶν παρόντων
καὶ πρὸς τούτοις ἐνίων τῶν ἐν τοῖς ἱππεύσιν· τούτων γὰρ τινες
15 μάλιστα τῶν πολιτῶν ἐσπούδαζον μὴ κατελθεῖν τοὺς ἀπὸ Φυλῆς.
ὥς δ' οἱ τὸν Πειραιέα καὶ τὴν Μουνιχίαν ἔχοντες, ἀποστάντος 3
ἄπαντος τοῦ δήμου πρὸς αὐτούς, ἐπεκράτουν τῷ πολέμῳ, τότε
καταλύσαντες τοὺς δέκα τοὺς πρώτους αἰρεθέντας, ἄλλους εἵλοντο
20 διαλύσεις || γενέσθαι καὶ κατελθεῖν τὸν δῆμον, συναγωνιζομένων καὶ [Col. 18.]
προθυμουμενῶν τούτων. προειστήκεσαν δ' αὐτῶν μάλιστα Ῥίνων τε
ὁ Παιανιεύς καὶ Φάυλλος ὁ Ἀχερδοῦσιος· οὗτοι γὰρ πρὶν <τε> [ῆ]
Παυσανίαν [τ'] ἀφικέσθαι διεπέμ[ποντ]ο πρὸς τοὺς ἐν Πειραιεῖ, καὶ
ἀφικομένου συνεσπούδασαν τὴν κάθοδον. ἐπὶ πέρας γὰρ ἤγαγε 4
25 τὴν εἰρήνην καὶ τὰς διαλύσεις Παυσανίας ὁ τῶν Λακεδαιμονίων
βασιλεὺς μετὰ τῶν δέκα διαλλακτῶν τῶν ὕστερον ἀφικομένων ἐκ

ε ε

16 ΠΙΡΑΙΑ: Πειραιέα K, K-W, B; Πειραιᾶ H-L: in titulis Atticis Πειραιέα saepius quam Πειραιᾶ apparet; Πειραιᾶ nondum inveni. 17 ΑΠΑΝΤΟΣ Blass (K²): ΠΑΝΤΟΣ K¹ (K-W, H-L).

22 ΑΧΕΡΔΟΥΣΙΟΣ corr. Bywater, etc. 23—25 ΠΡΙΝ Η ΠΑΥΣΑΝΙΑΝ ΤΕ ΚΤΛ

(K): πρὶν ἢ Π.—διεπέμποντο <τε> K-W¹; πρὶν <τε> Π.—διεπέμποντο Richards (H-L,

ε ε

K-W², B). 23 ΠΙΡΑΙΑ: Πειραιεῖ K, H-L; Πειραιεῖ K-W, B. Πειραιεῖ tituli Attici (Meisterhans, p. 25²) duodecim in locis habent, e.g. Dittenberger 337, 9, 14, 36 (B.C. 320) ἐν vel ἐν Πειραιεῖ. 24 ΑΦΙΚΝΟΜΕΝΟΥΣ corr. K. 25 Παυσανίας del. H-L; ὁ—βασιλεὺς del. Richards, regis nomine iam antea commemorato.

21 Heraclidis epitoma, 611, 6², τούτων δὲ καταλυθέντων Θρασύβουλος καὶ Ῥίνων προειστήκεσαν, οὗ ἦν ἀνὴρ καλὸς καὶ ἀγαθός.

§ 2. τοῖς ἱππεύσιν] Xen. *Hell.* ii 4, 24. Lysias *Mantith.* 16 § 3, οὐχ ἱππεύον... ἐπὶ τῶν τριάκοντα. After the restoration of the democracy there was evidently a prejudice against those who had been ἱππεῖς at the time of the Thirty. Mantitheus meets this prejudice by shewing that he was not of the number, and also that many who were, had subsequently become members of the βουλή or had been elected στρατηγοὶ and ἑταῖροι (ib. 8).

§ 3. ἄλλους εἵλοντο δέκα] These are not mentioned either by Lysias or by Xenophon.

συναγωνιζομένων] with the democratical party. τούτων probably refers to the Ten.

Ῥίνων] Isocr. *Callim.* § 7, εἰς τῶν δέκα γερόμενος, but Isocrates does not clearly distinguish this board of Ten from those who were elected immediately after the overthrow of the Thirty: § 5, ἥρπον μὲν γὰρ οἱ δέκα οἱ μετὰ τοὺς τριάκοντα καταστάντες.

Φάυλλος] otherwise unknown.

πρὶν] The removal of ἢ (proposed by Herwerden) is justified not only by its rarity in Attic Greek, but also by the fact that mss often vary between πρὶν and πρὶν ἢ (Wyse).

§ 4. ἐπὶ πέρας—ἤγαγε] The phrase πέρας ἔχειν = περαινεσθαι is found in Isocr. 42 B, Lycurg. 155, 34 (§ 60) and elsewhere; and Polybius uses πέρας λαμβάνειν (v 31, 2) and π. ἐπιθεῖναι τινι (i 41, 2). Ar. *Metecor.* i, 14, 353 a 18, τὸ ἔργον αὐτῶν ἔχει πέρας, ὁ δὲ χρόνος οὐκ ἔχει. πέρας is a frequent word in Ar., but ἐπὶ πέρας ἄγειν is not recorded in the *Index Ar.*, though ἄγειν ἐπὶ... occurs in *Pol.* 1313 a 19; 1270 a 6.

Παυσανίας] Xen. *Hell.* ii 4, 29—39.

τῶν δέκα διαλλακτῶν κτλ.] l.c. § 38, ἐξέπεμψαν πεντεκαίδεκα ἀνδρας εἰς τὰς Ἀθήνας καὶ ἐπέταξαν ἐν Πανσανίᾳ διαλλάξαι σπῆ δόναυτο κάλλιστα. (It will be observed that Xenophon mentions 15, not 10, and as the number is exceptional it is more likely to be right than not.) οἱ δὲ διήλλαξαν ἐφ' ὅτε εἰρήνην μὲν ἔχουν ὡς πρὸς ἀλλήλους, ἀπείναν δὲ ἐπὶ τὰ ἑαυτῶν

Λακεδαιμόνος, οὗς αὐτὸς ἐσπούδασεν ἔλθειν. οἱ δὲ πε[ρὶ] τὸν Ῥίνωνα διὰ τε τὴν εὐνοίαν τὴν εἰς τὸν δ[ῆμον] ἐπηνέθησαν, καὶ λαβόντες τὴν ἐπιμέλειαν ἐν ὀλιγαρχίᾳ τὰς εὐθύνas ἔδοσαν [ἐν δημοκρατίᾳ, καὶ οὐδείς οὐδὲν ἐνεκάλεσε[ν αὐ]τοῖς οὔτε τῶν ἐν ἄστει 30 μεινάντων οὔτε τῶν ἐκ Πειραιεύς κατελθόντων, ἀλλὰ διὰ ταῦτα καὶ στρατηγὸς εὐθὺς ἤρέθη Ῥίνων.

39. Ἐγένοντο δ' αἱ διαλύσεις ἐπ' Εὐκλείδου ἄρχοντος κατὰ τὰς συνθήκας τάσδε. τοὺς βουλομένους Ἀθηναίων τῶν ἐν ἄστει μεινάντων ἐξοικεῖν ἔχειν Ἐλευσίνα, ἐπιτίμους ὄντας καὶ κυρίους 2 καὶ αὐτοκράτορας [αὐ]τῶν καὶ τὰ αὐτῶν καρπομένους. τὸ δ' ἱερὸν εἶναι κοινὸν ἀμφοτέρων, ἐπιμελίσθαι δὲ Κήρυκας καὶ 5 Εὐμολπίδας κατὰ τὰ πάτρια. μὴ ἐξεῖναι δὲ μήτε τοῖς Ἐλευσίνοθεν εἰς τὸ ἄστυ μήτε τοῖς ἐκ τοῦ ἄστεως Ἐλευσίναδε ἰέναι πλὴν μυστηρίοις ἑκατέρους. συντελεῖν δὲ ἀπὸ τῶν προσιόντων εἰς τὸ

29 post ἐπιμέλειαν .. σογς (εὐθὺς? H-L) deletum. 31 ΠΙΡΑΙΩC: Πειραιεύς K, K-W; Πειραιῶς H-L. [Π]ε[ρ]αῶς CIA ii 834 δ 1 64 (B.C. 329).

XXXIX 2 ΑΘΗΝΑΙΩΝ, supra τῶν additum, retinet K, post τῶν locat K¹, coll. c. 27, 15 τῷ βουλομένῳ Λακιδῶν et c. 29, 24 οἱ ἐθέλοντες Ἀθηναίων: delent K-W, H-L; ante τῶν ponunt Blass et K². 4 [ἐ]α[υ]τῶν Jackson, K-W, K², B: [ἐ]π[ὶ] πᾶσιν K¹; ἀπάντων Poland (H-L). 8 ἑκατέρους fortasse aut defendi aut excusari posse putat Jackson, sed mavult ἑκατέροις, 'mysteriis maioribus minoribusve'; idem mavult Hude.

ἕκαστον πλὴν τῶν τριάκοντα καὶ τῶν ἑνδεκά καὶ τῶν ἐν τῷ Πειραιεὶ ἀρχάντων δέκα. εἰ δέ τινες φοβῶντο τῶν ἐξ ἄστεως, ἔδοξεν αὐτοῖς (αὐτοῖς Hartman) Ἐλευσίνα κατοικεῖν.

XXXIX § 1. ἐπ' Εὐκλείδου] B.C. 403/2. The διαλύσεις took place near the end of the summer of 403. Xen. *l.c.* § 25 speaks of the party of the Peiraeus as foraging for ξύλα καὶ ὀπώραν, and Plut. *Mor.* p. 349 F (*de gloria Ath.*) gives the 12th of Boedromion (September) as the date of the return of the exiles.

ἐξοικεῖν ἔχον] If we retain Ἐλευσίνα, we should probably have to render the passage: 'should have Eleusis to migrate to.' The words are generally understood to mean: 'should have it in their power to migrate to Eleusis.' This would require Ἐλευσίναδε. Cf. Dem. 29 § 3, Μεγαράδ' ἐξέφυγε, and Lys. 31 § 19, of an incident of the same date as the present, (Philon) συσκευασάμενος γὰρ τὰ ἐάντιον ἐνθάδε εἰς τὴν ὑπερορίαν ἐξέφυγε.

ἐπιτίμους] in full possession of their rights as citizens; cf. Xen. *Hell.* ii 2, 11 (of an earlier date, when Agis was holding Decelaea), τοὺς ἀτίμους ἐπιτίμους ποιήσαντες ἑκατέρουν. Xenophon is referring to the ψήφισμα of Patrocleides, quoted in Andoc.

de Myst. 77—79; *ib.* 73, ἐπεὶ γὰρ αἱ νῆες διεφθάρησαν καὶ ἡ πολιορκία ἐγένετο, ἐβουλεύσασθε περὶ ὁμονομίας καὶ ἔδοξεν ὑμῶν τοὺς ἀτίμους ἐπιτίμους ποιῆσαι. Then follows the *locus classicus* about ἀτιμία in which, among those who were under partial ἀτιμία, are mentioned (in § 75) the soldiers who ἐπέμειναν ἐπὶ τῶν τυράννων ἐν τῇ πόλει (τετρακοσίων may be suggested instead of τυράννων; this suggestion is anticipated by Dobree, and approved by Blass; in any case the Four Hundred are meant; and not the Thirty). κυρίους καὶ αὐτοκράτορας] 'possessing full and independent powers of self-government' (K.).

§ 2. ἱερὸν] The temple of Demeter at Eleusis. Κήρυκας καὶ Εὐμολπίδας] c. 57 § 1.

τοῖς Ἐλευσίνοθεν] *constructio praeagnans*, influenced by ἰέναι; similarly below, ἐκ τοῦ ἄστεως.

ἑκατέρους] The constr. changes from the dat. to the acc. with the inf. For a similar change of constr. after ἐξεῖναι, cf. Aeschin. 3 § 2, ἵνα ἐξῇ πρῶτον μὲν τῷ πρεσβυτάτῳ τῶν πολιτῶν...ἐπὶ τὸ βῆμα παρελθόντι τὰ βέλτεστα τῇ πόλει συμβουλεύειν, δεύτερον δ' ἡδὴ καὶ τῶν ἄλλων

συμμαχικὸν καθάπερ τοὺς ἄλλους Ἀθηναίους. ἐὰν δέ τινες τῶν 3
 10 ἀπionτων οἰκίαν λαμβάνωσιν Ἐλευσῖνι, συμπίθειν τὸν κεκτη-
 μένον· ἐὰν δὲ μὴ συμβαίνωσιν ἀλλήλοις, τιμητὰς ἐλέσθαι τρεῖς
 ἑκάτερον, καὶ ἦντιν' ἂν οὗτοι τάξωσιν τιμὴν λαμβάνειν. Ἐλευ-
 σινίων δὲ συνοικεῖν οὗς ἂν αὐτοὶ βούλωνται. τὴν δ' ἀπογραφὴν 4
 εἶναι τοῖς βουλομένοις ἐξοικεῖν, τοῖς μὲν ἐπιδ[ημ]οῦσιν ἀφ' ἧς ἂν
 15 ὁμώσωσιν τοὺς ὅρκους δ[έκ]α ἡμερῶν, τὴν δ' ἐξοίκῃσιν εἴκοσι, τοῖς
 δ' ἀποδημοῦσιν ἐπειδὰν ἐπιδημήσωσιν κατὰ ταῦτά. μὴ ἐξεῖναι δὲ 5
 ἄρχειν μηδεμίαν ἀρχὴν τῶν ἐν τῷ ἄστει τὸν Ἐλευσῖνι κατοικοῦντα
 πρὶν ἂν ἀπογραφῇται πάλιν ἐν τῷ ἄστει κατοικεῖν. τὰς δὲ || δίκας [Col. 19.]

13 ΕΚΑΤΕΡΩΝ (B): ἑκάτερον Bury, Richards, Hude, Papabasilus (K-W, H-L, K²). τάξωσι H-L. 13 ΟΥΤΟΙ (K, K-W, H-L): αὐτοὶ Richards, Herwerden, B qui etiam de αὐτοῖς scribendum suspicatur. 15 ὁμώσωσι H-L. δ[έκ]α K-W, H-L, K², B: δέ [ἐπ]τ[ε]α K¹. 16 ἀποδημοῦσι <τ> K, H-L. 18 ΑΠΟΓΡΑΦΗ ΨΗΦΙΑΙ: —γράφηται K-W, H-L, B; —γράφηται K.

πολιτῶν τὸν βουλόμενον γρόμῳ ἀποφα-
 νεσθαι (Kühner, § 475, 2 c, Anm. 1). ἑκα-
 τέροις is possibly preferred to avoid the
 ambiguity arising from ἑκατέροις, which
 would naturally agree with μυστηρίοις and
 has actually been proposed in this sense.

συντελέων...δε] Dem. Lept. 28, σωτε-
 λούσιν εἰς τὸν πόλεμον.

τὸ συμμαχικὸν] elsewhere of 'the allied
 forces' (Thuc. iv 77), or of a 'treaty of
 alliance' (iii 91, v 6): here 'the fund for
 the common defence.'

§ 3. συμπίθειν] not 'shall first obtain
 the assent of the owner' (Poste), but 'the
 people would help them to obtain the
 consent of the owner' (Kenyon).

συνοικεῖν] 'of the inhabitants of Eleusis,
 those whom the secessionists desired should
 live in the same community.' Thuc. ii 68,
 3, ἀπὸ τῶν Ἀμπρακιστῶν ξυνοικισάντων.
 In Thuc. vi 64, 3 (the Syracusan horsemen
 tauntingly ask the Athenians) εἰ ξυνοικη-
 σοῦσι σφίσιν αὐτοῖς μᾶλλον ἢ κίον ἐν τῇ
 ἀλλοτρίᾳ ἢ Λεοντίου ἐς τὴν οἰκίαν κατοι-
 κιοῦντες, ib. ii 68, 3. The proceedings
 have an arbitrary air as against the ordinary
 inhabitants of Eleusis, but it would appear
 that Eleusis was, subject to certain con-
 ditions, handed over to the secessionists.

§ 4. τὴν ἀπογραφὴν εἶναι] Those who
 proposed to secede were required to enter
 their names in a list (cf. 40 § 1). ἀπο-
 γραφή, in Attic law, is generally applied
 to a register of land, property, moneys,
 rather than of persons. Lys. 25 § 9,
 εἰσι δὲ οἵτινες τῶν Ἐλευσινιάδων ἀπο-
 γραφάμενων, ἐξελθόντες μετ' ὧμων, ἐπο-
 λορκουῦντο μετ' αὐτῶν (Westermann, Cobet;

μετ' αὐτῶν MS; ἐπολορκοῦν τοὺς μετ' αὐτῶν
 Scheibe, Frohberger).

τοὺς ὅρκους] 'the oath of pacification'
 (Poste). Xen. Hell. ii 4, 43 (of a slightly
 later time, after the commanding officers of
 the party at Eleusis had been put to death
 and a reconciliation effected with the re-
 mainder), ὁμώσαντες ὅρκους ἢ μὴ μὴ μνησι-
 κατῆσιν. δέκα ἡμερῶν, II, 5 δέκα ἐτῶν.

§ 5. πρὶν ἀπογραφῇται] 'until he
 shall again register himself in the list
 with a view to residence in the city.'
 Lys. 25 § 9 quoted above. ἀπογράφεσθαι,
 mid. to register oneself (e.g. as a citizen:
 Pol. vi (iv) 13, 1297 a 24, ἐνιαχοῦ δ'
 ἔξεστι μὲν πᾶσιν ἀπογραφάμενοις ἐκκλη-
 σιάζειν καὶ δικάζειν, ἐὰν δὲ ἀπογραφάμενοι
 μὴ ἐκκλησιάζωσι μῆτε δικάζωσιν, ἐπί-
 κευται μεγάλαι ζημίαι τοῦτοις). Xen.
 Hell. ii 4 § 8, vi 5 § 29. The passive is
 found in Plat. Leg. 914 c, ἂν ἀπογεγραμ-
 μένος ἢ παρὰ τοῖς ἀρχαῖσι τὸ κτήμα.

τὰς δὲ δίκας τοῦ φόρου] This passage
 does not help us to decide the question
 whether the Areopagus was suspended or
 not by the Thirty. Lys. i § 30 (delivered
 after the year of Euclides) says of this
 tribunal, ὃ καὶ πατρώς ἐστι καὶ ἐφ' ἡμῶν
 (ὧμων MSS) ἀποδίδεται (ἀποδίδεται the read-
 ing of an inferior MS) τοῦ φόρου τὰς δίκας
 δικάζειν. Grote, Rauchenstein (Philol. x
 604 ff.) and Curtius (iv 16 note) hold that
 it was suspended; Schömann (Anl. p. 549
 E. T.) that it was not. Practically, how-
 ever, its authority was obviously superseded
 by the Reign of Terror. See also Philippi,
 Aristop. p. 265, 266, and Frohberger's
 Lysias vol. ii 180.

τοῦ φόνου εἶναι κατὰ τὰ πάτρια, εἴ τις τινα αὐτόχειρ ἀπέκτεινεν, 6 ἢ ἔτρωσεν. τῶν δὲ παρεληλυθότων μηδενὶ πρὸς μηδένα μνησικακεῖν 10 ἐξεῖναι, πλὴν πρὸς τοὺς τριάκοντα καὶ τοὺς δέκα καὶ τοὺς ἑνδεκα καὶ τοὺς τοῦ Πειραιέως ἄρξαντας, μηδὲ πρὸς τούτους, ἐὰν διδῶσιν εὐθύνας. εὐθύνας δὲ δοῦναι τοὺς μὲν ἐν Πειραιεὶ ἄρξαντας ἐν τοῖς ἐν Πειραιεὶ, τοὺς δ' ἐν τῷ ἄστει ἐν τοῖς τὰ τιμήματα παρεχομένοις. εἰθ' οὕτως ἐξοικεῖν τοὺς ἐθέλοντας. τὰ δὲ χρήματα ἃ ἐδανείσαντο 15 εἰς τὸν πόλεμον ἐκατέρους ἀποδοῦναι χωρίς.

40. γενομένων δὲ τοιούτων τῶν διαλύσεων, καὶ φοβουμένων

Ε Ε
19 ΑΓΤΟΧΙΡΑΕΚΤΙCΙ (C1 'ita ut paene n legi possit' B) ΕΠΡΩCΑCΤΩΝ ante ΡΩ
deletis EM (B), vel OT, i.e. ὁ τρώσας (K), vel OIC (K-W), vel CH (H-L): αὐτοχειρ <ἀπ-
έκτεω> ἐκτίσει ἱερῶσας K¹, †αὐτόχειρα ἐκτίσει ἱερῶσας† K²; αὐτοχειρὰ ἐκτενε τρώσας
Wyse; αὐτοχειρὰ ἐκτενε ἢ ἔτρωσεν K-W, H-L; αὐτόχειρ (van Leeuwen) ἀπέκτεινεν

Ε Ε ΕΙ
ἢ ἔτρωσεν B. 22 ΠΙΡΑΙΩC: Πειραιῶς H-L. 23 ΠΙΡΑΙΙ. 24 ΠΙΡΑΙΙ.
Praestaret ἐν τοῖς <ἐν τῷ ἄστει K et Gertz> τιμήματα (= ἀποτιμήματα) παρεχομένοις,
Δ

aut τὰ <αὐτὰ Gertz> τιμήματα παρεχομένοις. Cf. c. 2, 12. 25 ΤΟΥC ΕΘΕΛΟΝ-
ΤΑC: τοὺς ἀλῶντας B, qui in archetypo litteras θε deletas, et Δ (non Δ) scriptum fuisse
putat.

TESTIMONIA. XXXIX 21—23 Bekk. An. 235—6 (cf. Testim. ad xxxv 5—6).

αὐτόχειρ ἀπέκτεινεν] Hdt. i 140 etc.
αὐτοχειρὰ κτείνειν. αὐτοχειρ ἐκτείνειν would
be a poetic form of expression, but
αὐτόχειρ itself is used in prose, as in Dem.
p. 321, 18; 549, 5; 552, 18. τρώσας,
'by wounding,' gives less good sense than
ἢ ἔτρωσεν, but might be defended by ἐὰν
τις φάρμακον δοὺς ἀποκτείνῃ et similia.
'Unlawful wounding' comes under the
cognisance of the courts that try cases of
homicide, c. 57 § 3 *fin.* κτείνειν ἢ τρώσαι
τινα.

§ 6. μνησικακεῖν] Xen. Hell. ii 4 ult.,
ὁμῶσαντες ὅρκους ἢ μὴν μὴ μνησικακήσων,
ἔτι καὶ νῦν ὁμοῦ τε πολιτεύονται καὶ τοῖς
ὅρκοις ἐμμένει ὁ δήμος. Aristoph. Plut.
1146, μὴ μνησικακήσης, εἰ σὺ Φυλὴν κατέ-
λαβες, ἀλλὰ ξύνοικον πρὸς θεῶν δέξασθί
με, with Schol. Andoc. de Myst. 90, καὶ
ὁ μνησικακῶσιν τῶν πολιτῶν οὐδενὶ πλὴν
τῶν τριάκοντα καὶ τῶν ἑνδεκα, οὐδὲ τούτων
ὅς ἂν ἔθελον εὐθύνας διδόναι τῆς ἀρχῆς ἣς
ἤρξεν and ib. 81, 91. Aeschin. F. L. 176,
(Archinus and Thrasylbulus) τὸ μὴ μνησι-
κακεῖν πρὸς ἀλλήλους ἑτορκον ἡμῶν κατα-
στησάτωσαν. Justin v 10 § 11. Cf. Lueb-
bert, De Amnestia, Kiel, 1881.

καὶ τοὺς δέκα] Neither in Xenophon
(Hell. ii 4, 38) nor in Andocides is this
body of Ten described as excluded from
the amnesty. Xenophon mentions the
'Ten who ruled in Peiraeus' (c. 35 § 1);

Andocides does not mention even these.

ἐν τοῖς ἐν Πειραιεὶ] not 'for all matters
coming within the limits of Peiraeus'
(Kenyon), but 'before the courts held in
the Peiraeus.' 'To the residents in
Peiraeus' is Mr Poste's rendering; but
such a rendering of an account would be
very informal. Some lawfully constituted
body is clearly meant.

ἐν τοῖς τὰ τιμήματα παρεχομένοις]
'before a court consisting of those who
can produce rateable property' i.e. who
have property on which they pay taxes.
This limitation excludes all paupers or
citizens of the lowest class. παρέχεσθαι,
is 'to have as one's own, to produce as
one's own,' 'to bring forward' (L and S);
τοῖς ὅπλοι παρεχομένοις occurs in c. 4, but
I can find no instance of παρέχεσθαι being
coupled with τιμήματα.

τιμήματα is here understood of penal-
ties, by Poland, Kaibel and Kiessling,
and Haussoullier (εὐθύναι came under the
class of δίκαι τιμητά, Att. Proc. pp. 226,
264 Lips.). Reinach makes τιμήματα syn-
onymous with ἀποτιμήματα, 'a security,'
comparing CIA ii 570, 21, [τιμήματα] ἢ
ἐγγυητῇ, and Lys. ap. Harp. s.v. τιμήματα.
ὁτῶς] after satisfying all these legal
requirements.

ἀποδοῦναι χωρίς] *inf.* c. 40 § 4.

ὅσοι μετὰ τῶν τριάκοντα συνεπολέμησαν, καὶ πολλῶν ἐπινουσύντων μὲν ἐξοικεῖν ἀναβαλλομένων δὲ τὴν ἀπογραφὴν εἰς τὰς ἐσχάτας ἡμέρας, ὅπερ εἰώθασιν ποιεῖν ἅπαντες, Ἀρχίνος συνιδὼν τὸ πλήθος 5 καὶ βουλόμενος κατασχεῖν αὐτοὺς ὑφείλε τὰς ὑπολοίπους ἡμέρας τῆς ἀπογραφῆς, ὥστε συναναγκασθῆναι μένειν πολλοὺς ἄκοντας ἕως ἐθάρρησαν. καὶ δοκεῖ τοῦτό τε πολιτεύσασθαι καλῶς Ἀρχίνος, 2 καὶ μετὰ ταῦτα γραψάμενος τὸ ψήφισμα τὸ Θρασυβούλου παρα-

XL 2 ΜΕΝΕΤΙΠΟΟΥΝΤΩΝ (Κ, <ἐξοικεῖν> μὲν ἐπινουσύντων? Κ-Υ): ἐπινουσύντων μὲν Blass (H-L). 3 ΑΝΑΓΡΑΦΗΝ (Κ): ἀπογραφὴν Jackson, Wyse, Bury, Blass,

Κ-Υ, H-L, Β; ἀνα-γραφὴν fortasse casu ex ἀνα-βαλλομένων oritur. 4 εἰώθασιν H-L, Β.

XL § 1. Ἀρχίνος] mentioned (with Dion) as an orator in Plat. *Menex.* 234 B, and with Cephalus in Dinarchus, 1 § 76. He was the proposer of a law to prevent *συκοφαντία* after the amnesty (Isocr. c. *Callini.* 18 § 2, *ὅν τις δικάζηται παρὰ τοὺς ὅρκους, ἐξείναι τῷ φεύγοντι παραγράφασθαι* κτλ.). It was on his motion that the Ionic alphabet was adopted in public documents from the archonship of Euclides onwards (Suidas s. v.). The action recorded in the text is not mentioned elsewhere. He is described as cooperating with Thrasybulus in the restoration of the democracy, Ἀρχίνου καὶ Θρασυβούλου προστάτων τοῦ δήμου, Aeschin. *F. L.* 176. It was Archinus who moved the decree on that occasion: c. *Ctes.* 187, ὁ τὸ ψήφισμα γράψας καὶ νικήσας Ἀρχίνος ὁ ἐκ Κολῆς, εἰς τῶν καταγαγόντων τὸν δῆμον. On his opposition to a proposal of Thrasybulus, see below.

συνιδὼν τὸ πλήθος] 'observing their numbers.'

τὰς ὑπολοίπους ἡμέρας] the remainder of the term of days allowed for the purposes of registration.

§ 2. γραψάμενος τὸ ψήφισμα τὸ Θρασυβούλου] This fact is well known owing to its having affected the position of Lysias, who fully deserved promotion from the position of a *μέτακος* to that of a citizen for his great services towards the restoration of the democracy, and for the losses he had incurred at the hands of the Thirty, who had even put to death his brother Polemarchus (*Or.* 12).

Aeschines, c. *Ctes.* § 195, describes Archinus as having resisted the proposal to confer the distinction of a crown on some of those who had done good service in the restoration of the democracy. The scholia give us further details: Θρασυβούλος ὁ Στειρεὺς μετὰ τὸ κατελθεῖν τὸν δῆμον ἀπὸ Φυλῆς ἔγραψε ψήφισμα δοθῆναι

πολιτείας Δυσίᾳ τῷ Κεφάλῳ (Κεφάλῳ MS, correctit Wyse) τῷ ῥήτορι πολλὰ εὐεργετήσαντι τοὺς εἰς (τὴν MS) Φυλὴν καταφυγόντας καὶ τοῦτο ἀπροβούλευτον εἰσήνεγκεν εἰς τὸν δῆμον. οὐδέτις γὰρ ἦν καθεσταμένη βουλὴ μετὰ τὴν τῶν Ἱ κατάνυσις· τοῦτο τὸ ψήφισμα ἐγράψατο παρανόμως Ἀρχίνος ὁ ἐκ Κολῆς καὶ εἰλε καὶ ἐτίμησαν τῷ Θρασυβούλῳ οἱ δικάσαι δραχμῆς μίας. Ἄλλως ἐπίστευον τοῖς δοκοῦσιν ἀμύνειν τοῖς νόμοις. Ἀρχίνος γὰρ ὁ ἐκ Κολῆς ἐγράψατο παρανόμως ὅτε κατῆλθεν ὁ δῆμος... Δυσίου τοῦ Συρακοσίου πεντακοσίας μὲν ἀσπίδας δόντος τοῖς μαχεσαμένοις ἐν Φυλῇ, τριακοσίους δὲ (Συρακοσίοις MS, correctit Blass) στρατιώτας μισθωσαμένους ἐξ Αἰγίνης, ἔγραψε ψήφισμα πολίτην αὐτὸν γενέσθαι Θρασυβούλου. παρανόμως δὲ αὐτὸν Ἀρχίνος ὁ ἐκ Κολῆς ἐγράψατο, ὅτι οὕτω γενόμενης βουλῆς ψήφισμα ἔγραψεν καὶ <οἱ> δικάσαι κατήνεγκαν αὐτοῦ τὰς ψήφους ὀλίγῳ μὲν πρὸ τοῦ βουλῆν ὑπάρξει (ὀλίγῳ μὲν—ὑπάρξει placed after ἔγραψεν by Schultz). ὁ δὲ ἐν τῇ τιμῇσει παρελθὼν, θανάτου, ἔφη, τιμῶμαι διὰ ἀχαρίστους Ἀθηναίους ὄντας εὐ ἐποίεσσα. οἱ δὲ δικάσαι αἰδεσθέντες τῷ μὲν ἐτίμησαν τὴν καταδικὴν δραχμῆς, τὸν δὲ Δυσίαν οὐδ' οὕτως ἐποίησαντο πολίτην. Maximus Planudes, Scholia on the *στάσεις* of Hermogenes in Walz, *Rh. Gr.* v 343, παραπλήσιον καὶ τὸ περὶ Θρασυβούλου ιστοροῦμενος, δι μετὰ τὴν τῶν τριάκοντα κατάνυσις ἔγραψε τῷ Δυσίᾳ ψήφισμα περὶ τοῦ δεῖν αὐτὸν γενέσθαι πολίτην καὶ κατηγορηθεὶς ὡς ἀπροβούλευτον ψήφισμα... εἰσενεγκὼν, οὐ γὰρ ἦν πω καταστάσα ἡ βουλὴ, κατεδικάσθη χρημάτων· ὁ δὲ, οὐ μὰ Δία, ἔφη, ἀλλὰ θανάτου τί γὰρ τοιοῦτος ἔσωζον; Cf. [Plut.] 846 A. The proposal was made μετὰ τὴν κάθοδον ἐπ' ἀναρχίας τῆς πρὸ Εὐκλείδου (*ib.* 835 EF), i.e. between the return from exile and the restoration of the democracy. At that time the βουλὴ had not yet been constituted. See Blass *Att. Ber.* i 340¹,

νόμων, ἐν δὲ μετεδίδου τῆς πολιτείας πᾶσι τοῖς ἐκ Πειραιέως συγκατελθούσι, ὧν ἔνιοι φανερώς ἦσαν δοῦλοι, καὶ τρίτον, ἐπεὶ τις ἠρξάτο τῶν κατελθλυθόντων μνησικακεῖν, ἀπαγαγὼν τοῦτον ἐπὶ τὴν βουλὴν καὶ πείσας ἄκριτον ἀποκτείνει, λέγων ὅτι νῦν δεῖξουσιν εἰ βούλονται τὴν δημοκρατίαν σφῆξιν καὶ τοῖς ὄρκοις ἐμμένειν· ἀφέντας μὲν γὰρ τοῦτον προτρέψειν καὶ τοὺς ἄλλους, ἐὰν δ' ἀνέλωσιν παράδειγμα ποιήσῃν ἅπασιν. ὅπερ καὶ συνέπεσεν 15
3 ἀποθανόντος γὰρ οὐδείς πώποτε ὕστερον ἐμνησικακήσεν. ἀλλὰ δοκοῦσιν κάλλιστα δὴ καὶ πολιτικώτατα ἀπάντων καὶ ἰδία καὶ κοινῇ χρήσασθαι ταῖς προγεγενημέναις συμφοραῖς· οὐ γὰρ μόνον τὰς περὶ τῶν προτέρων αἰτίας ἐξήλειψαν ἀλλὰ καὶ τὰ χρήματα Λακεδαιμονίοις, ἃ οἱ τριάκοντα πρὸς τὸν πόλεμον ἔλαβον, ἀπέδωσαν 20 κοινῇ, κελευουσὼν τῶν συνθηκῶν ἐκατέρους ἀποδιδόναι χωρὶς, τοὺς τ' ἐκ τοῦ ἄστεως καὶ τοὺς ἐκ τοῦ Πειραιέως, ἡγούμενοι τοῦτο πρῶτον ἄρχειν δεῖν τῆς ὁμονομίας· ἐν δὲ ταῖς ἄλλαις πόλεσιν οὐχ ὅτι προστιθέασιν τῶν οἰκείων οἱ δῆμοι κρατήσαντες, ἀλλὰ καὶ

εἰς

9 ΠΙΡΑΙΟΙΣ: Πειραιῶς H-L.

13 ὩΣΤΕΙΝ.

17 δοκοῦσι H-L, B.

Ε

ΚΑΙΔΙΑ ante corr.

22 ΠΙΡΑΙΩΣ: Πειραιῶς H-L.

23 ΔΕΝ correctum in ΔΕΙΝ.

23—24 ΟΥΧ ΟΙΟΝ ΕΤΙ (vel ΕΠΙ): οὐχ ὅλον ἐτι K, H-L, B; οὐχ ὅλον ἐπιπροστιθέασιν Genadios (K-W); οὐχ ὅτι προστιθέασιν J B Mayor, ὅτι in ἐτι corruptum atque ὅλον deinde per errorem insertum arbitratus. 24 ΟΙΔΗΜΟΚΡΑΤ: οἱ δημοκρατήσαντες K et B cui 'est δημοκρατήσαντες ut μοναρχήσαντες': οἱ δῆμοι κρατήσαντες van Leeuwen, Hude (H-L, K-W), quod unice verum est,—'alibi cum vicerunt populares, spoliare solent divites, non propria etiam bona in publicum commodum absumere' (Herwerden).

349³, and Jebb, *Att. Orators*, i 151; cf. Wyse in *Class. Rev.* v 335.

ἠρξάτο—μνησικακεῖν] c. 39 § 6. The action of Archinus is the natural sequel of his law against *συκοφαντία* (Isocr. c. *Callim.* §§ 2, 3). Cf. Curtius, *H. G.* iv 59. But his method of procedure was arbitrary in the extreme. Nevertheless, the author passes no condemnation on it. ἀπαγαγών] of summary arrest, 29 § 4. τοῖς ὄρκοις ἐμμένειν] Xen. *Hell.* ii 4 ult., τοῖς ὄρκοις ἐμμένει δὲ ὁ δῆμος.

§ 3. κάλλιστα δὴ] According to Eucken (*De Aristotelis dicendi ratione; de particularium usu*, p. 49), δὴ is nowhere found in the writings of Aristotle after a superlative (*Class. Rev.* v 160 a).

αἰτίας ἐξήλειψαν] Andoc. *de Myst.* 76, ἐξαλείψαι πάντα τὰ ψηφίσματα, Lys. i § 48, τοὺς κειμένους νόμους ἐξαλείψαι, ἐτέρους δὲ θεῖναι, 30 § 5, τὰ μὲν ἐγγράφεις τὰ δ' ἐξαλείφεις. Here probably metaphorical, as in Dem. *Pan.* 37 § 34, τὸ γινώσκειν καὶ συνιέναι τὰ δίκαια...ἐξαλείψαι. ἐξα-

λείφειν is not found in the *Index Ar.*; ἀπαλείφειν occurs in c. 47 fin. and 48 inii. and προεξαλείφειν in c. 47 ult.

τὰ χρήματα—ὁμονομίας] See note on Dem. *Lept.* p. 460, esp. § 12, τοῦτο πρῶτον ὑπάρξει τῆς ὁμονομίας σημεῖον, κοινῇ διαλῶσαι τὰ χρήματα, and Isocr. *Areop.* §§ 67, 68 there quoted.

οὐχ ὅτι] οὐχ ὅλον is not found in Ar. οὐχ ὅτι...ἀλλὰ καὶ occurs in *Pol.* 1331 a 11, *Poet.* 4, 1448 b 35. οὐχ ὅτι...ἀλλὰ in *De Gen. Anim.* iv 1, 765 b 19, *De Anima* ii 7, 419 a 21, *Ana.* i 41, 49 b 22. προστιθέασιν τῶν οἰκείων] 'pay additional sums out of their own property.'

οἱ δῆμοι κρατήσαντες] *Pol.* vi (iv) 8, 1294 a 13, ἐν ὀλιγαρχίᾳ καὶ ἐν ἀριστοκρατίᾳ καὶ ἐν δῆμοις. viii (v) 10, 1310 b 21, οἱ δῆμοι (opp. to αἱ ὀλιγαρχίαι). iii 11, 1282 a 28, ἃς (εὐθύνας καὶ ἀρχὰς) ἐν ἐνιαυτῷ πολιτείας...τοῖς δῆμοις ἀποδιδάσκειν. vii (vi) 4, 1320 a 4, οἱ δὲ νῦν δημαγωγοὶ χαρίζομενοι τοῖς δῆμοις πολλὰ δαμεύουσι διὰ τῶν δικαστηρίων. 7, 1321 a 19, ταύτῃ δὲ ἐπικρα-

25 τὴν || χώραν ἀνάδαστον ποιοῦσιν. διελύθησαν δὲ καὶ πρὸς τοὺς 4 [Col. 20] [ἐν] Ἐλευσίνι [κατοί]κῃσαντας ἔτει τρίτῃ μετὰ τὴν ἐξοίκῃσιν, ἐπὶ [Ξεναί]νέτου ἄρχοντος.

41. ταῦτα μὲν οὖν ἐν τοῖς ὕστε[ρο]ν συνέβη γενέσθαι καιροῖς, τότε δὲ κύριος ὁ δῆμος γενόμενος τῶν πραγμάτων, ἐνεστήσατο τὴν [νῦν] οὖσαν πολιτείαν, ἐπὶ Πυθοδώρου μὲν ἄρχοντος, [δ]οκοῦντος δὲ δικαίως τοῦ δήμου λαβεῖν τὴν [ἐξουσί]αν, διὰ τὸ ποιήσασθαι τὴν 5 κάθοδον δι' αὐτοῦ τὸν δῆμον. ἦν δὲ τῶν μεταβολῶν ἑνδεκάτῃ τῷ[ν] 2 ἀρι[θ]μὸν αὕτη. πρώτη μὲν γὰρ ἐγένετο [κ]ατάστασις τῶν ἐξ

26 EN supra scriptum melius abesset (K, coll. Cobet, *Var. Lat.*, pp. 30, 201); retinet K-W, B, delent H-L. Cf. Meisterhans, p. 169². [ἐξοί]κῃσαντας K, K-W, H-L: [μετοί]κῃσαντας propter hiatum conicit J W Headlam; [κατοί]κῃσαντας B, qui ἐξοικ. 'et propter hiatum et propter spatium vestigiaque' condemnat.

XLII 3 Πυθοδώρου: Εὐκλείδου expectaret B coll. c. 39, 1. Post ἄρχοντος lacunam indicant K-W, 'hiat sententia; damnatae Pythodori memoriae facta erat mentio.' 4—5 δῆμον—δῆμον: an Θρασυβούλου—δὲ αὐτὸν τὸν δῆμον? K. [ἐξουσί]αν K, K-W, B:

[προστασί]αν? K et Kontos (H-L). 5 ΔΙΑΥΤΟΝ? δὲ αὐτὸν K (an ἐφ' αὐτοῦ? H-L): δὲ αὐτοῦ B; idem, seclusis τὸν δῆμον, K-W. 6 . . ΑΤΑΤΑΤΙC: ἡ κατάστασις K, K-W; κατάστασις B. [τῶν κ]ατασ[τάσεων] 'dubitanter van Leeuwen' (H-L).

τοῦσιν ἐν ταῖς διαστάσεσιν οἱ δῆμοι τῶν ἐσπέρων. Thuc. iii 82, 1; viii 65, 1.

τὴν χώραν ἀνάδαστον ποιοῦσι] *Pol.* viii (v) 5, 1305 a 2, ὅτε μὲν γάρ, ὡς χαρίζονται, ἀδικοῦντες τοὺς γνωρίμους συνιστάσιν, ἢ τὰς οὐσίας ἀναδάστους ποιοῦντες ἢ τὰς προσόδους ταῖς λειτουργίαις, ὅτε δὲ διαβάλλοντες, ὡς ἔχῃσι δημεύειν τὰ κτήματα τῶν πλουσίων. 7, 1307 a 1 (of the Lacedaemonians about the time of the second Messenian war), θλιβόμενοι γὰρ τινας διὰ τὸν πόλεμον ἤξιον ἀνάδαστον ποιεῖν τὴν χώραν. 8, 1309 a 14, δεῖ δ' ἐν μὲν ταῖς δημοκρατίαις τῶν εὐπέρων φεῖδεσθαι, μὴ μόνον τῷ τὰς κτήσεις μὴ ποιεῖν ἀναδάστους, ἀλλὰ μηδὲ τοὺς καρπούς.

§ 4. διελύθησαν] *Xen. Hell.* ii 4, 43, ὅστερ' ὃν χρόνῳ ἀκούσαντες ξένους μισθοῦσθαι τοὺς Ἐλευσίνοι, στρατευσάμενοι πανδημίᾳ ἐπ' αὐτοὺς τοὺς μὲν στρατηγούς αὐτῶν εἰς λόγους ἐλθόντας ἀπέκτειναν, τοῖς δὲ ἄλλοις εἰσπένψαντες τοὺς φίλους καὶ ἀναγκαίους ἐπεισαν συναλλαγῆναι καὶ ὁμόσαντες ὅρκους ἢ μὴν μὴ μνησικαχεῖν, ἔτι καὶ νῦν ὁμοῦ τὴν πολιτεύονται, καὶ τοῖς ὅρκους ἐμμένει ὁ δῆμος.

ἔτει τρίτῃ—ἐπὶ Ξεναί[ν]ετου] B.C. 401/0. The final reconciliation is thus placed later than has generally been inferred from Xenophon's phrase ὅστερ' ὃν χρόνῳ (corresponding to ἐν τοῖς ὕστερον καιροῖς of c. 41 § 1). Grote c. 65 end, v 598—9.

XLII. Recapitulation.

§ 1. ἐνεστήσαντο] *Probl.* 951 a 28, ἐν-

στήσασθαι τὸ πρᾶγμα. *Intrans.* 5 § 2, *ib. ult.*, 17 § 4, 27 § 2, 37 § 1. The *intrans.* parts are those generally used in Ar. On the other hand *συνιστάναι* (*συνεστήσαι*, *συνεστήσασθαι*) πόλιν, πολιτείας, is found in *Pol.* 1266 a 23, 1284 b 18, 1288 a 40, 1319 b 33, also in *Oecon.* 1343 a 7.

ἐπὶ Πυθοδώρου] B.C. 404/3. In c. 39 § 1 the formal convention for the restoration of the democracy is placed in the archonship of Euclides (403/2). But the return of Thrasylbulus and the other exiles of the democratical party, and the occupation of the Peiraeus, took place about January 403, in the archonship of Pythodorus.

The text implies 'that the subsequent extension of the democracy...was justified by the fact of its having secured its own re-establishment, without the open help of any other nation, and in the face of the opposition of a powerful party at Sparta (Kenyon). But it is difficult to resist Mr Kenyon's suggestion that the passage is corrupt, and that the position of Thrasylbulus as leader of the restored democracy was recognised in the latter part of this sentence.

§ 2. κατάστασις τῶν ἐξ ἀρχῆς Ἴωνος] The constitution under Ion (which is, of course, prehistoric) was doubtless described in the early chapters of the treatise. Cf. fragm. 343²=381².

ἀρχῆς Ἴωνος καὶ τῶν μετ' αὐτοῦ συνοικησάντων· τότε γὰρ πρῶτον εἰς τὰς τέτταρας συνενεμήθησαν φυλὰς καὶ τοὺς φυλοβασιλεῖς κατέστησαν. δευτέρα δὲ καὶ πρώτη μετὰ ταύτη[ν] ἔχουσα πολιτείας τάξιν ἢ ἐπὶ Θησέως γενομένη, μικρὸν παρεγκλίνουσα τῆς βασιλικῆς. μετὰ δὲ ταύτην ἢ ἐπὶ Δράκοντος, ἐν ᾗ καὶ νόμους ἀνέγραψαν πρῶτον. τρίτη δ' ἢ μετὰ τὴν στάσιν, ἢ ἐπὶ Σόλωνος, ἀφ' ἧς ἀρχὴ δημοκρατίας ἐγένετο. τετάρτη δ' ἢ ἐπὶ Πεισιστράτου τυραννίς. πέμπτη δ' ἢ μετὰ <τὴν> τῶν τυράννων καταλύσιν, ἢ Κλεισθένους, δημοτικωτέρα τῆς Σόλωνος. ἕκτη δ' ἢ μετὰ τὰ Μηδικὰ, τῆς ἐξ Ἀρείου πάγου βουλῆς ἐπιστατούσης. ἑβδόμη δ' ἢ μετὰ ταύτην, ἣν Ἀριστείδης μὲν ὑπέδειξεν, Ἐφιάλτης δ' ἐπέτε-

7 συνοικησάντων Blass coll. frag. 381², K-W, H-L: συνοικισάντων defendit K² coll.

HN

c. 15, 7 et Thuc. i 24, vi 5. 8 τετταρας. 9 μετὰ ταῦτα εχουσαι (delete i) ΠΟΛΙΤΕΙΑΝ ΤΑΞΙΝ: μετὰ ταῦτα [ἐξ]έχουσα πολιτείας τάξις K¹, —[μετ]έχουσα J B Mayor, —ὑπάρχουσα Richards; [παρ]έχουσα aut πολιτείας τάξις (Rutherford) aut πολιτείας τάξιν (Wyse), νέαν ἔχουσα πολιτείας τάξιν Gertz. μετρίαν τὴν ἔχουσα πολιτείας τάξιν H-L; μετὰ ταῦτα... ἔχουσα πολιτείας τάξιν K-W; μετὰ ταύτην ἔχουσα πολιτείας τάξιν K², B. 14 <τὴν> add. K (edd.). 16 ΔΕ ΚΑΙ (K, B coll. vv. 9 et 20—21): δ' ἢ J B Mayor, K-W, H-L. 17 ἐπετέλεσε H-L.

συνοικησάντων] Heraclides *init.*, συνοικησαντος δὲ Ἴωνος αὐτοῖς.

εἰς τὰς τέτταρας—φυλὰς] c. 8 § 3. συνενεμήθησαν] cf. 21 § 2, συνέειμε (*ai. διένειμε*).

φυλοβασιλεία] c. 8 § 3; c. 57 *ult.*

δευτέρα... καὶ πρώτη] *i.e.* the constitution of Theseus was second to that of Ion and was the first of the eleven μεταβολαί. πολιτείας τάξιν] c. 3 § 1, ἡ τάξις τῆς ἀρχαίας πολιτείας.

μικρὸν παρεγκλίνουσα τῆς βασιλικῆς] The prehistoric 'constitution of Theseus' was treated in an early chapter that is now lost. The lost passage is referred to in Plut. *Thes.* 25, οὗτι δὲ πρῶτος ἀπέκλινε πρὸς τὸν ὄχλον, ὥς Ἀριστοτέλης φησί, καὶ ἀφῆκε τὸ μοναρχεῖν, ἔθηκε μαρτυρεῖν καὶ Ὅμηρος ἐν νεῶν καταλόγῳ μόνους Ἀθηναίους δῆμον προσαγορεύσας. παρεγκλίνειν *intr.* is found in *Hist. Anim.* 498 a 16, σκέλη μικρὸν εἰς τὸ πλάγιον παρεγκλίνοντα. ἐγκλίνειν *intr.* in *Pol.* 1307 a 21, ἐφ' ὅπότερον ἂν ἐγκλίη ἡ πολιτεία, and 1266 a 7, ἡ τῶν Λακεδαιμονίων πολιτεία μᾶλλον ἐγκλίνειν βούλεται πρὸς τὴν ὀλιγαρχίαν. ἐκκλίνειν *intr.* in *Pol.* ii 11, 1273 a 5, τὰ μὲν εἰς δῆμον ἐκκλίνει μᾶλλον τὰ δ' εἰς ὀλιγαρχίαν.

ἐν ᾗ καὶ νόμους ἀνέγραψαν πρῶτον] The summary does not strictly correspond to the original account in c. 4. Nothing was there stated on the important fact that under Dracon the laws were first

reduced to a written code, though it was partly implied in the words: τοὺς θεσμοὺς ἔθηκεν. On the other hand, the remarkable 'Draconian constitution,' which has justly aroused considerable suspicion, finds no recognition in the summary. This supports the view that the description of that constitution is an interpolation.

Σόλωνος] 5—12. ἀρχὴ δημοκρατίας] 9 § 1. Πεισιστράτου] 14—19.

Κλεισθένους] 22. δημοτικωτέρα] 22 *init.* τῆς ἐξ Ἀρείου πάγου βουλῆς] 23.

Ἀριστείδης] Aristides is here described as having traced the outline which was completed by his successor Ephialtes. The former admitted the lower classes to a larger share in public life. Though he did not actually throw the archonship open to all the citizens of Athens (as asserted in Plut. *Arist.* 22), he encouraged the rural population to resort to Athens (c. 24 § 1) and thus prompted them to take an interest in political affairs. Ephialtes carried this democratical movement still further by abolishing the supremacy of the Areopagus.

There is no justification for the criticism of Rühl (*Rhein. Mus.* 46, 432) that Aristides is here represented as cooperating with Ephialtes. The absence of the name of Themistocles is, however, worthy of note. As a constitutional reformer he is eclipsed by Aristides. It may even be

λεσεν καταλύσας τὴν Ἀρεοπαγίτιν βουλὴν ἐν ᾗ πλείστα συνέβη
τὴν πόλιν διὰ τοὺς δημαγωγοὺς ἀμαρτάνειν — — διὰ τὴν τῆς
20 θαλάττης ἀρχὴν. ὀγδόη δ' [ἡ] τῶν τετρακοσίων κατάστασις, καὶ
μετὰ ταύτην ἐνάτη [δὲ] [δ]ημοκρατία πάλιν. δεκάτη δ' ἡ τῶν
τριάκοντα καὶ ἡ τῶν δέκα τυραννίς. ἐνδεκάτη δ' ἡ μετὰ τὴν ἀπὸ
Φυλῆς καὶ ἐκ Πειραιέως κάθοδον, ἀφ' ἧς διαγεγέννηται μέχρι τῆς
νῦν, αἰεὶ προσεπιλαμβάνουσα τῷ πλήθει τὴν ἐξουσίαν. ἀπάντων
25 γὰρ αὐτὸς αὐτὸν πεποίηκεν ὁ δῆμος κύριον καὶ πάντα διοικεῖται
ψηφίσμασιν καὶ δικαστηρίοις, ἐν οἷς ὁ δῆμος ἐστίν ὁ κρατῶν. καὶ
γὰρ αἱ [τῆς] βουλῆς κρίσεις εἰς τὸν δῆμον ἐληλύθασιν. καὶ τοῦτο

19 διὰ (κ, κ-W, B): <καλ> διὰ H-L; — — 'deest fere *θαρρήσας*' κ-W coll.
Pol. 1274 a 12. 20 ΟΓΔΟΗΝΔ—ΚΑΤΑΣΤΑΚΤΑCΙΝ. 21 δὲ secl. J B Mayor
(κ-W, H-L), retinent κ, B. 22 καὶ [ἡ] κ-W. 23 ΠΕΙΡΑΙΩC (H-L).
TMC: τοῦ H-L. 24 Locus corruptus, κ-W. 26 ψηφίσμασι H-L.

doubted whether he really has any claim to have acted with Ephialtes in overthrowing the Areopagus, as narrated in c. 25 § 3.

17. ἐπέβαλεν] with *πρώτος* in *Rhet.* iii 2, 1404 b 25, and *Poet.* 4, 1448 b 37. Cf. *Hdt.* i 189, *Xen. Oecon.* xi 18. The metaphor is probably derived 'from the tracing of lines *underneath* by a writing-master, for the pupil to follow or write over,' *Protag.* 326 D (Cope's *Introd.* to *Ar. Rhet.* p. 284).

Ἐφιάλτης] From the tenour of the earlier part of the work we are prepared to find a prominent place assigned in the summary to Ephialtes, as compared with Pericles. The reforms in the Areopagus due to the latter were of minor importance. But it is singular that so notable a name should find no mention in the present passage. He is here regarded as one of the demagogues whose influence was detrimental to Athens. The slight notice of his policy in 28 § 1 is indeed not unfavourable; but it is certainly far from enthusiastic.

διὰ τὴν τῆς θαλάττης ἀρχήν] *Isocr. de Pace*, 79.

τῶν τετρακοσίων] 29—32. δημοκρατία] 34.

ἡ τῶν τριάκοντα—τυραννίς] more accurately described as an oligarchy in 53 *init.*

τῶν δέκα] 38 § 1.

προσεπιλαμβάνουσα τῷ πλήθει τὴν ἐξουσίαν] *Schömann, Ant.* p. 386 E. T.: 'The demagogues found it their interest to extend the activity of the popular assemblies as far as possible, and to

establish the principle that the people was, in the most comprehensive sense of the term, lord over everything, and could do what it pleased (*in Neaer.* p. 1375; *Xen. Hell.* i 7, 12). On the other hand, men of keener insight complained that the State was administered by *Psephismata*—that is, according to the pleasure at any moment of the sovereign people—rather than according to the laws, and that there was only too often a contradiction between the laws and these *Psephismata*. *Pol.* vi (iv) 4, 1292 a 4—37, ἕτερον εἶδος δημοκρατίας ὅλλα μὲν εἶναι ταῦτά, κύριον δ' εἶναι τὸ πλῆθος καὶ μὴ τὸν νόμον. τοῦτο δὲ γίνεται ὅταν τὰ ψηφίσματα κύρια ᾖ ἄλλα μὴ ὁ νόμος. συμβαίνει δὲ τοῦτο διὰ τοῦς δημαγωγούς κτλ. *Dem. Lept.* § 92.

εἰς τὸν δῆμον ἐληλύθασιν] In the department of judicature indictments or informations concerning breaches of the law, which could not be dealt with in the ordinary course, were in the first instance brought before the Council. If the offence were too important for the competency of that body, they passed to the popular assembly. The Council could not inflict any fine beyond 500 *drachmae*. *Schömann, Ant.* 394—5 E. T. Cf. 45 and 49 § 3; *Pol.* 1299 d 38 ff.

καὶ τοῦτο κτλ.] This is understood by *Cauer* (p. 48 f.) as a general eulogy of the fully developed democracy and as inconsistent with the views expressed in the *Politics*. But the eulogy is really limited to one particular point, the transfer of judicial functions from the βουλή to the ἐκκλησία, and both of these bodies are

δοκοῦσι ποιεῖν ὀρθῶς· εὐδιαφθωρότεροι γὰρ <οί> ὀλίγοι τῶν πολλῶν
 3 εἰσὶν κ[αὶ] κέρδει κ[αὶ] χάρισιν. μισθοφόρον δ' ἐκκλησίαν τὸ μὲν
 πρῶτον ἀπέγνωσαν ποιεῖν. οὐ συλλεγομένων δ' εἰς τὴν ἐκκλησίαν, 30
 ἀλλὰ πολλὰ σοφίζομένων τῶν πρυτάνεων, ὅπως προσιστῆται τὸ
 [Col. 21.] πλῆθος πρὸς τὴν ἐπικυρώσιν τῆς χειροτονίας, πρῶτον μὲν
 Ἀγύρριος ὀβολὸν ἐπόρισεν, μετὰ δὲ τοῦτον Ἡρακλείδης ὁ Κλαζο-
 μένιος ὁ βασιλεὺς ἐπικαλούμενος διώβολον, πάλιν δ' Ἀγύρριος
 τριώβολον.

42. ἔχει δ' ἡ νῦν κατάστασις τῆς πολιτείας τόνδε τὸν 35

28 ΟΛΙΓΟΝ: ὀλίγοι K: <οί> ὀλίγοι Gennadios, Kontos, K-W, H-L, B. 29 εἰσὶ
 H-L. δ': δὲ <τῇ> K-W, δὲ B. 31 CO(?)ΦΙΖΟΜΕΝΩΝ Blass, Gomperz,
 K-W, K³: ψηφίζομένων K¹, ψηφίζομένων <μύων> H-L.

TESTIMONIA. **XLII 33—34** Hesych. Κλαζομένιος· οὗτος Ἡρακλείδης ὁ Κλαζομένιος
 τε καὶ ὁ βασις (ex hoc loco βασιλεὺς scripsit Houtsma) καλούμενος.

distinctly democratic. The text is in fact in perfect accord with a passage in the *Politeia*, iii 15, 1286 a 30, διὰ τοῦτο καὶ κρίνει ἀμεινον ὁχλος πολλὰ ἢ εἰς ὅστισιν. ἐτι μᾶλλον ἀδιαφθωρον τὸ πολὺ, καθάπερ ὅδωρ τὸ πλείον, οὕτω καὶ τὸ πλῆθος τῶν ὀλίγων ἀδιαφθωρότερον. Cf. O. Crusius, *Philol.* l. p. 175.

§ 3. τὸ μὲν πρῶτον] on the restoration of the democracy.

Ἀγύρριος] a statesman belonging to the deme of Collytus, prominent as a financier in the early part of the fourth century. In 400 B.C. he had a dispute with Andocides about the lease of a tax (*Andoc. De Myst.* 133, with Marchant's note).

Schol. on Arist. *Eccl.* (B.C. 392) 102—5 ('Ἀγύρριος...πράττει τὰ μέγιστ' ἐν τῇ πόλει): ὁ Ἀ. στρατηγὸς θηλυδριώδης, ἀρξας ἐν Δέσφῳ. καὶ τὸν μισθὸν δὲ τῶν ποιητῶν συνέτεμε (cf. Schol. on *Ran.* 367 and Plat. *Com. frag.* 133 Kock) καὶ πρῶτος ἐκκλησιαστικὸν δέδωκε. In *Eccl.* 300—310 the poet refers to the time when only one obol was allowed instead of three: ἥνικ' ἔδει λαβεῖν ἑλθόντ' ὀβολὸν μύων, whereas now τριώβολον ζητοῦσι λαβεῖν, *ib.* 380, 392, *Plut.* (ed. 2, B.C. 389) 329 and 171 with the Schol. where, however, the μισθὸς ἐκκλησιαστικὸς is confounded with the μ. δικαστικὸς. The text shews that the Schol. on *Eccl.* 102 was right in making Agyrrius the originator of the fee. Boeckh (*II xiv* p. 316 Lamb) inferred from the mention of Myronides in *Eccl.* 305 that the fee was introduced some time after the beginning of the influence of Pericles. He was further led

to ascribe its origin to one Callistratus, *Append. Vatic. Proverb.* iii, ὀβολὸν εὔρε Παρνύτης. Καλλίστρατος Ἀθήνησι πολιτευσάμενος, ἐπικαλούμενος δὲ Παρνύτης, μισθὸν ἔταξε τοῖς δικασταῖς καὶ τοῖς ἐκκλησιασταῖς. Possibly Callicrates, who added an obol to the διώβολον of the θεωρικόν is really meant (28 § 3). The text also proves that for a short time the fee for the public assembly was two obols, though this was denied by Boeckh, *l. c.*

Agyrrius also restored the θεωρικόν (*Philochorus ap. Harpocr. s.v.*). On the death of Thrasylbulus (early in 389) he was elected στρατηγός (*Xen. Hell.* iv 8, 31; *Diod.* xiv 99). Plat. *Com. frag.* 185 Kock, λαβοῦ λαβοῦ τῆς χειρὸς ὡς τάχιστα μὲν μᾶλλον στρατηγὸν χειροτονεῖν Ἀγύρριον. It was probably after 387 that he was long in prison as a debtor to the State (*Dem.* 24 § 134).

Ἡρακλείδης ὁ Κλαζομένιος] mentioned in Plat. *Ion*, 541 D (with Phanosthenes of Andros), οὗς ἦδε ἡ πόλις ἔτενος ὄντας, ἐνδείκνυμένους ὅτι ἀξιοὶ λόγου εἰσὶ, καὶ εἰς στρατηγίας καὶ εἰς τὰς ἄλλας ἀρχὰς ἄγει. Favorinus ap. Athen. 506 A; Aelian, *Var. Hist.* xiv 5. The name βασιλεὺς is perhaps due to his belonging to some royal family in Asia Minor (cf. Strabo, p. 632; *CIG* 2881, 2069, 2157, 2189). Peisistratus was called βασιλεὺς in the *Δήμος* of Eupolis (*frag.* 123 p. 291 Kock). O. Crusius in *Philol.* l. p. 177. Heraclides is identified by Köhler (*Hermes*, xxvii 68 ff.) with the person of that name mentioned in an inscr. in *Bull. Corr. Hell.* 1888, p. 163.

τρόπον. μετέχουσιν μὲν τῆς πολιτείας οἱ ἐξ ἀμφοτέρων γεγονότες ἀστῶν. ἐγγράφονται] δ' εἰς τοὺς δημότας ὀκτωκαίδεκα ἔτη γεγονότες· ὅταν δ' ἐγγράφονται, διαψηφίζονται περὶ αὐτῶν ὁμόσαντες 5 οἱ δημόται, πρῶτον μὲν εἰ δοκοῦσι γεγονέναι τὴν ἡλικίαν τὴν ἐκ τοῦ νόμου, καὶ μὴ δόξωσι, ἀπέρχονται πάλιν εἰς παῖδα[ς, δ]εύτερον δ' εἰ ἐλεύθερός ἐστι καὶ γέγονε κατὰ [το]ύς νόμους. ἔπειτ' ἂν μὲν ἀποψηφίσωνται μὴ εἶναι ἐλεύθερον, ὁ μὲν ἐφήσιν εἰς τὸ δικαστή-

XLII § 2 μετέχουσι H-L. § ΟΚΤΩΚΑΙΔΕΚΑΕΤΕΙΣ ante corr. 4 ΔΕΓΡΑΦ : δ' ἐγγράφ. Wyse, Blass, Herwerden, Naber (K-W, H-L, K²). § Δόξωσι H-L. 7 ἂν μὲν H-L. § ΕΠΙΨΗΦ (K) : ἀποψηφ. Wyse, Blass, K-W, H-L; cf. Phot. l.c.

TESTIMONIA. XLII § 3—4 *Schol. Arist. *Vesp.* 578 παῖδων τῶν δοκιμαζομένων πρὸς τὸ ἔθος. 'Αρ. δὲ φησὶν ὅτι ψῆφω οἱ ἐγγραφόμενοι δοκιμάζονται, μὴ νεώτεροι (νεώτεροι μὴ codd., corr. K-W) ἢ ἐτῶν ἑλέν (Frag. 427², 467²). ἴσως δ' ἂν περὶ τῶν μὴ κρινόμενων παῖδων εἰς τοὺς γυμνακοὺς ἀγῶνας λέγει (sc. δ' Ἀριστοφάνη)· οὐχ ὡς ἐν δικαστηρίῳ κρινόμενος ἀλλ' ὑπὸ τῶν πρεσβυτέρων.

§ Phot. (et Etym. M.) ἔφεσις : ...ἐγένετο δὲ Ἀθήνησιν ἐπὶ τῶν ἐν τοῖς δήμοις ἀποψηφισθέντων, ἐφείσθαι γὰρ αὐτοῖς ἐξῆν αὐτοῖς εἰς δικαστήριον περὶ τῆς πολιτείας· καὶ εἰ μὲν ἐάλωσαν, ἐπωλοῦντο ὡς ἔνοι· εἰ δὲ μὴ, ἐπαύθησαν εἰς τοὺς ἐξ ὧν ἀπεψηφίσθησαν δήμους.

Part II, c. XLII—LXIII. *The Existing Constitution.*

XLII § 1. *Enrolment on the list of citizens.*

§ 1. μετέχουσιν τῆς πολιτείας] *Pol.* 1268 a 24, 27; 1275 b 31; 1290 a 4.

ἐξ ἀμφοτέρων—ἀστῶν] *Pol.* 1278 a 34, τέλος δὲ μόνον τοὺς ἐξ ἀμφοῦν ἀστῶν πολιτας ποιοῦσιν. 1275 b 21, ὁρίζονται δὲ πρὸς τὴν χρῆσιν πολιτῆν τὸν ἐξ ἀμφοτέρων πολιτῶν καὶ μὴ θατέρου μόνον, ὡς πατρός ἢ μητρός. See note on 26 § 4.

ἐγγράφονται] *Pol.* iii 1, 1275 a 14, παῖδας τοὺς μήπω δι' ἡλικίας ἐγγεγραμμένους. *Dem. Euclid.* 57 § 61, ἥρ' ἐνεγράφη ἐγὼ καὶ ὁμόσαντες οἱ δημόται δικαίως πάντες περὶ ἐμοῦ τὴν ψῆφον ἔφερον, ὅτε κατηγορήσεν οὐδ' ἐναντίαν τὴν ψῆφον ἤρεγκεν. *Isaeus* 7 § 28, ὁμόσαντες καθ' ἑρῶν ἐνέγραψάν με (sc. εἰς τὸ ληξιαρχικὸν γραμματεῖον). *Lycurg. Leocr.* 76, ἐπειδὴν εἰς τὸ ληξιαρχικὸν γραμματεῖον ἐγγραφῶσι καὶ ἐφηβοὶ γένωνται. The earliest ephebic inscr. (B.C. 334—3) mentions οἱ ἐφηβοὶ οἱ ἐπὶ τοῦ Κτησιλλέους ἀρχοντος ἐγγραφόντες. By this registration the youthful citizen entered on the duties of civil life at the same time as he was enrolled on the list of *epheboi*. This was the only list of *epheboi* kept by the demes, and such a phrase as ἐγγράφεσθαι εἰς ἐφηβους (*Pseudo-Plat. Axiach.* 366 E) is an inaccurate equivalent for ἐγγ. εἰς τοὺς δημότας (*P. Girard*, in *Daremberg and Saglio*, iii 624).

ὀκτωκαίδεκα ἔτη] *Schol. Aeschin. c. Ctes.* 122, ἀπὸ ὀκτωκαίδεκα ἐτῶν ἐνεγράφετο εἰς τὸ ληξιαρχικόν, and 1 § 19. ἐπὶ

διετὲς ἡβῆσαι (*Aeschin. l. c.*) denoted the close of the two years intervening between the ages of 16 and 18 (*A. Schäfer, Dem.* iii 2, 19—38; *Lipsius* in *N. Jahrb. f. Philol.*, no. 117, p. 299 ff.; *Gilbert, Gr. St.* i 186).

In *Aristoph. Vesp.* 578 it is regarded as a privilege of the δικασταὶ to take part in ascertaining the physical maturity of Athenian youths on the occasion of the δοκιμασία. In the present passage the preliminary enrolling belongs to the δημόται, while the subsequent δοκιμασία is now for the first time assigned to the βουλή, to which it was perhaps transferred after the time of *Aristophanes*. According to the text, the δικασταὶ are only concerned in the event of an appeal on the question whether the person enrolled was of free birth or not. (*Cf. Meier and Schömann, Att. Process*, p. 253—4 *Lipsius*. The doubt there suggested as to the accuracy of the *Schol.* on *Vesp.* 578 is now withdrawn by *Lipsius*, in the *Verhandlungen der K. Sächsischen Gesellschaft der Wissenschaften*, Leipzig, 1891, p. 63.) Possibly, in the event of a dispute on the question of age, the matter was similarly referred to a court, but this is not stated in the text.

διαψηφίζονται] The ordinary διαψηφίσις here described might be followed by an appeal to a δικαστήριον. The procedure was the same as in the special διαψηφίσις described in *Dem.* 57 § 60, ἐπεὶ διαψηφίσασθαι τοὺς Ἀθηναίους περὶ αὐτῶν καὶ κατηγορῶν δέκα τῶν δημοτῶν ἐξέβαλεν, οὓς πάντας πλὴν ἐνὸς κατεδέξατο τὸ δικαστήριον.

ριον, οἱ δὲ δημόται κατηγόρους αἰροῦνται πέντε [ἄν]δρας ἐξ αὐτῶν, κὰν μὲν μὴ δόξη δι[καί]ως ἐγγράφ[ε]σθαι, πωλεῖ τούτον ἢ πόλιν· 10
2 εἰ δὲ νικήσῃ, τοῖς [δη]μόταις ἐπάναγκες ἐγγράφειν. μετὰ δὲ ταῦτα δοκιμάζει τοὺς ἐγγραφεύτας ἢ βουλή, κὰν τις δόξη [ν]εώτερος ὀκτωκαίδεκα ἐτῶν εἶναι, ζημιῶ[ι] [τοῦ]ς δημότας τοὺς ἐγγράψαντας. ἐπὰν δὲ δοκιμα[σθ]ῶσιν οἱ ἔφηβοι, συλλεγέμεντες οἱ πατέρες αὐτῶν κατὰ φυλάς, ὁμόσαντες αἰροῦνται τρεῖς ἐκ τῶν φυλετῶν τῶν 15
ὑπὲρ τετταράκοντα ἔτη γεγονότων, οὓς ἂν ἡγῶνται βελτίστους εἶναι καὶ ἐπιτηδειοτάτους ἐπιμελεῖσθαι τῶν ἐφήβων, ἐκ δὲ τούτων

11 Versus in fine ΕΝΓΡΑΦΕΙ ἐγγράφειν (sc. ἐπάναγκες ἐστὶν αὐτὸν ἐγγράφειν) recte
ΔΙ

van Leeuwen (H-L, B): ΕΝΓΡΑΦΕΤ ἐγγράφεται K, K-W; constructio quidem utraque recte se habet; ἐπάναγκες ἐγγράφειν defendunt c. 29, 21, Pol. 1266 a 10, 17, 18 et 1301 b 23; ἐπάναγκες ἐγγράφεται Pol. 1266 a 15; sed manus tertia nunquam aut ΓΔΙ contrahit aut ΔΙ supra verbi finem scribit, N autem septies eodem in loco ponit, c. 41, 30
ἐκκλησία, c. 42, 34 λαμβανουσι, c. 43, 4 χειροτονουσι, 7 πρυτανεῖ, 15 βουλῇ, 17 χειροτονεῖ, 29 κελουσι; quorum exemplorum sex in fine versus inventa sunt. 13 ὀκτωκαίδεκα K-W, B. 14 ΕΠΑΝ: ἐπειδὴν H-L.

ἀποψηφίσοντα] used absolutely in Dem. 57 §§ 11, 56, 58, 59, 62; followed by μὴ in F. L. 174, ἀπεψηφίσαντο μὴ πέμπεω. ἐπιψηφίσεσθαι is found c. acc. in Dion. H., *Ant.* vi 71, and Diod. xix 61; but these passages do not justify the retention of ἐπιψηφίσοντα.

ἐφείπον κτλ.] Dem. 57 § 6, ἀξιώ... μηδέπω τῇ τῶν δημοτῶν ἀποψηφίσειν ποιεῖσθαι τεκμήριον ὑμᾶς, ὡς ἄρ' οὐχὶ προσήκει μοι τῆς πόλεως. εἰ γὰρ ἐνομίσετε τὰ δίκαια δυνήσεσθαι τοὺς δημότας διακρίναι, οὐκ ἂν ἐδώκατε τῇ εἰς ὑμᾶς ἐφείπον. Cf. Etym. M. and Photius, s. v. ἐφείπον, quoted in *Testim.*

πέντε ἄνδρας] We find a similar procedure in the decree of the φράteres recorded in the Decelean inscr., CIA ii 2, p. 534—6, no. 841 b, ll. 30—34, εἰ δὲ τις βούληται ἐφείναι εἰς Δημοσωνίδας, ὃν ἂν ἀποψηφίσωνται, ἐξέειναι αὐτῷ, ἐλεσθαι δὲ ἐπ' αὐτοῖς συντηγρόντων τὸν Δεκελεικὸν οἶκον πέντε ἄνδρας ὑπὲρ τριάκοντα ἔτη γεγονότας. Cf. *Class. Rev.* v 221 a.

πωλεῖ] Dionys. on Isaeus, 16 p. 617, ἐγγράφῃ δὴ τις ὑπὸ τῶν Ἀθηναίων νόμος ἐξέτασεν γενέσθαι τῶν πολιτῶν κατὰ δήμους, τὸν δὲ ἀποψηφισθέντα ὑπὸ τῶν δημοτῶν τῆς πολιτείας μὴ μετέχειν, τοῖς δὲ ἀδίκως ἀποψηφισθεῖσιν ἐφεσθαι εἰς τὸ δικαστήριον εἶναι, προσκαλεσαμένους τοὺς δημότας, καὶ εἰ δὲ δεύτερον ἐξελεγχθῶσι, πεπεῖσθαι καὶ τὰ χρήματα εἶναι δημόσια. Bekker, *Anecd.* (and Suidas) s. v. ἀποψηφισθέντα·

εἰ τις ξένος ἐδοξεν εἶναι καὶ οὐ πολίτης, τούτων ἐν ταῖς διαψηφίσεσι τῶν δήμων ἀπεψηφίζοντο οἱ δημόται, καὶ ἐλέγετο ἀπεψηφισμένος. εἰτα εἰσάγετο εἰς τὸ δικαστήριον καὶ ἐκρίνετο ξένιας, καὶ εἰ μὲν ἄλως ἐπεκράσκειτο ὡς ξένος· εἰ δὲ ἐκράτει, ἀνελαμβάνετο εἰς τὴν πολιτείαν. οὕτω Δημοσθένης (*de Cor.* 132). Cf. Meier and Schömann, p. 440 Lips., n. 705.

§§ 2—5. On the military training of the *Erhebi*. On the *Erhebi*, see Dittenberger, *De Erhebis Atticis*, 1863; Dumont, *Essai sur l'Éphébie Attique*, 1875—6; Grasberger, *Erziehung und Unterricht im Klass. Alterthum*, iii, 1881. Also Capes, *University Life in Ancient Athens*, 1877; Wayte on *Erhebus* in Smith, *Dict. Ant.*; P. Girard, *l'éducation Athénienne*, 1889, pp. 271—327; and esp. the same scholar's article in Daremberg and Saglio, 1891, iii 621—636 (the only account of the subject written since the discovery of this treatise).

§ 2. δοκιμά[ει] This δοκιμασία (like that of adopted sons) probably took place at the time of the ἀρχαιρεσίαι (Isaeus 7 § 28; Dem. c. *Leoch.* 44 § 39) at the beginning of the official year (Lys. 21 § 1). Cf. Gilbert, i 187.

ὑπὲρ τετταράκοντα ἔτη] Similarly any χορηγός who had boys under his superintendence had to have attained the age of 40 (56 § 3).

ὁ δῆμος ἓνα τῆ[ς φ]υλῆς ἐκάστης χειροτονεῖ σωφρονιστήν, καὶ
[κοσ]μητήν ἐκ τῶν ἄλλων Ἀθηναίων ἐπὶ πάντας. συλλαβόντες δ' 3
20 οὗτοι τοὺς ἐφήβους, πρῶτον μὲν τὰ ἱερὰ περιήλθον, εἴτ' εἰς

19 ...ΜΗΤΗΝ? κοσμητήν Paton, van Leeuwen (H-L), K-W, K², B; [ἐπι]μητήν K¹.
ΠΑΝΤΑ vel ΠΑΝΤΑΣ ante CΥΛΛ: πάντα. συλλ. K; πάντας. συλλ. K-W, B; πάντας.
παρ. H-L.

18—25 Bekk. *Anecd.* 301 (infra exscriptum).

χειροτονεῖ] one of the few exceptions to the general rule by which appointments at Athens were made by lot. Cf. 43 § 1 and Headlam, *On the Lot*, p. 104.

σωφρονιστήν] [Plat.] *Axioch.* 367 A, τὰς δ' τοῦ μερακτικοῦ χρόνος (v. l. πῶτος) ἐστὶν ὑπὸ σωφρονιστάς. Dinarclus, *adv. Philocl.* 15, ὁ μὲν δῆμος ἅπας οὐτ' ἀσφαλὲς οὐτὲ δίκαιον νομίζων εἶναι παρακαταθέσθαι τοὺς αὐτοῦ παῖδας, ἀπεχειροτόνησεν αὐτὸν ἀπὸ τῆς τῶν ἐφήβων ἐπιμελείας. Philocles, the στρατηγὸς here referred to, was a σωφρονιστής, not a κοσμητής (Gilbert, i 297; Dumont, *Essai sur l'Éparchie Attique*, 1876, p. 169 f.). In Bekker *Anecd.* 301 the σωφρονισταὶ are defined as ἀρχοντές τινες χειροτονητοί, δέκα τὸν ἀριθμὸν, ἐκάστης φυλῆς εἰς. ἐπιμελοῦντο δὲ τῆς σωφροσύνης τῶν ἐφήβων μισθὸν παρὰ τῆς πόλεως λαμβάνοντες ἑκαστος καθ' ἡμέραν δραχμὴν (similarly in Photius and Etym. M. s. v.).

They are mentioned in the earliest ephobic inscr. now extant, B.C. 334—3 (*Bull. Corr. Hell.* xiii 253); also in B.C. 320/19 (CIA ii 581); and in B.C. 305/4. This last inscr., as restored, includes the words: [τοῦ κοσμητοῦ καὶ τῶν σωφρονιστῶν καὶ τῶν δι]δασκάλων. The κοσμητής also appears to be named near the beginning: [ἐπειδὴ οἱ ἐφηβοὶ... ἐπ]ιμελοῦνται εἰ... καὶ .. φιλοτ]ιμοῦν[ται....] ἰσως εὐτάκτως... τε κοσμη[τ.... τ]ἀλλα τὰ περὶ τῆ[ν... τοῖς διδασκαλοῖς κτλ. In the same inscr. the ἐφηβοὶ are described as ἐγγραφέντες (Köhler, *Mittheilungen*, 1879, iv 324—7). The latest inscr. belongs to B.C. 303/2... σωφρονιστής ὑπὸ τοῦ δήμου χειροτονηθείς [τῶν] ἐφήβων τῶν ἐγγραφέντων [τῆς] Πανδιονίδος φυλῆς ἐπὶ Δεωστράτου ἀρχοντος (B.C. 303) καλῶς καὶ σωφρόνως καὶ εὐτάκτως ἐ[πι]μελεῖσθαι αὐτῶν καὶ ἀποφιλανθουσιν αὐτὸν εἰς τὴν φυλὴν [οἱ π]ατέρες τῶν ἐφήβων ἐπιμελε[ίσθαι] κατὰ τοὺς νόμους τῶν ἐφήβων κτλ. (*Bull. Corr. Hell.* 1888, xii 149). A relief published in *Rev. Arch.* 1876, ii 185, copied in Daremberg and Saglio, iii 628, represents three σωφρονισταὶ in their robes holding their wands of office in the presence of a divinity who cannot be identified. The office was apparently suppressed early in the third century B.C. to be restored in imperial times. See Ditten-

berger, *De Ephebis Atticis*, pp. 29, 44; Dumont, *Sur l'Éparchie*, p. 200; Smith, *Dict. Ant.* i 998 δ; and esp. Girard in Daremberg and Saglio, iii 626.

κοσμητήν] Erotianus, *Lex. Hipp.* s. v. κῶσμον· κοσμηταὶ οἱ τῶν ἐφήβων εὐταξίας προνοοῦντες. The word is found in [Plat.] *Axioch.* 363 E (as quoted by Stobaeus), ἐπειδὴ δ' εἰς τοὺς ἐφήβους ἐγγραφῇ, κοσμητῆς καὶ φόβος χείρων, and in a general sense in Plat. *Leg.* 373 A. The usual formula for the election of this officer is χειροτονηθεὶς κοσμητῆς ἐπὶ τοῖς ἐφήβοις εἰς τὸν ἐπὶ (τοῦ δέινου) ἀρχοντος ἐνιαυτὸν, CIA ii 465, 467, 469; in 471 l. 56 the people κοσμη[τ]ήν καθίστασθ[ω]ν ἐκ τῶν ἀριστα βε[β]ιωκότων. Hardly any of the inscriptions in which this officer is mentioned are earlier than the second century. The earliest belongs to B.C. 305/4 (quoted in last n.); the next to about B.C. 282 (CIA ii 316, 10=Dittenberger, *Inscr.* no. 346). It is suggested by Dittenberger (*De Ephebis*, p. 31) that the office was created in the time of Alexander. The inscr. of B.C. 305 (already quoted) shews that for a short time the κοσμητῆς and the σωφρονισταὶ existed together. This is confirmed by the text, if the restoration is correct. Cf. Dumont, *Éparchie Attique*, p. 166 ff.; Gilbert, i 299; and Girard in Daremberg and Saglio, iii 626—7.

In literature, one of the earliest passages on the κοσμητής is in Teles (fl. middle of 3rd cent.), ap. Stob. 98, 72, ἐφηβος γέγονεν· ἐμπαιὼν τὸν κοσμητὴν φοβεῖται, τὸν παιδοτρίβην, τὸν ὀπλομάχον, τὸν γυμνασιάρχον, ὑπὸ πάντων τούτων μαστιγούται, παρατηρεῖται, τραχηλίζεται. ἐξ ἐφήβων ἐστὶ καὶ ἡδὴ ἑκοσιν ἐτών· ἐπὶ φοβεῖται καὶ παρατηρεῖ καὶ ταξίάρχων καὶ στρατηγόν.

ἐπὶ πάντας] For ἐπὶ, of persons set over others, cf. Xen. *Cyr.* iv 5, 58, ἐπὶ τοὺς πεζοὺς καθίσταται ἀρχοντα, and *Hell.* iii 4, 20. In this sense it is more common c. gen. or dat.

§ 3. τὰ ἱερὰ περιήλθον] It was probably at this stage that the ἐφηβοὶ took the oath in the cave of Aglauros (Dem. *F. L.* 303; Lycurgus, *Leocr.* 76; Stobaeus, *Flor.* 43, 48; Pollux viii 105; another clause is quoted in Plut. *Alc.* 15).

Πειραιά πορεύονται, καὶ φρουροῦσιν οἱ μὲν τὴν Μουνυχίαν οἱ δὲ τὴν Ἀκτὴν. χειρο[τονεῖ] δὲ καὶ παιδοτρίβας αὐτοῖς δύο καὶ διδασκάλους, [οἷ]τινες ὀπλομαχεῖν καὶ τοξεύειν καὶ ἀκοντίζειν κ[αί] καταπάλτην ἀφίεναι διδάσκουσιν. δίδωσι δὲ καὶ εἰς τρο[φήν] 24

21 Πειραιά H-L. ΜΟΥΝΥΧΙΑΝ. Cf. c. 19, 5.

23 [οἷ]τινες K, H-L, B: τ[έ]τ[ε]ρ[ε]ς [α]ρα

ΑΠΕΛΤΗΝ

<ο> K-W.

24 ΚΑΤΗΝ

καταπάλτην (K¹, K-W²): —πάλτην K-W¹, H-L, K², B, cf. Meisterhans, p. 12² (καταπαλτῶν annis A.C. 330—323). διδᾶξουσιν Rutherford (H-L).

Cobet, *N. L.* 223, regards the formula in Stobaeus and Pollux as a figment of the grammarians; but it can hardly be doubted that some such oath was taken, although it is not mentioned in the text. (Cf. Schömann, *Ant.* p. 359 E. T.; Gilbert, i 296 n.) The taking of the oath is exhibited on a vase in the Hermitage Museum, which shews us an ἐφηβος, armed with shield and spear, holding his right hand over an altar; the oath is being administered by an aged man (probably representing the βουλῇ) beyond it: behind the ἐφηβος we have a Νίκη holding a helmet (Daremberg and Saglio, iii 624).

Μουνυχίαν] 19 § 2. Even in Roman times, B.C. 100, the ἐρῆβι περιέπλευσαν ... ἐλς Μουνυχίαν (CIA ii 467, 21).

Ἀκτὴν] the name given to the southern peninsula of the Peiraeus, the highest point of which is about 180 feet above the sea. Harpocr. s. v. ἐπιθαλαττιδὸς τις μῦρα τῆς Ἀττικῆς. Lycurg. *Leocr.* §§ 17, 55; Diod. xx 45; *inf.* 61 § 1. Wachsmuth, *Stadt Athen*, ii 46.

παιδοτρίβας] officials employed to train the ἐρῆβι in gymnastic exercises. In B.C. 305/4 their number was reduced to one (Köhler, *Mittheilungen*, iv 327, cf. Teles ap. Stob. *Flor.* 98, 72). In the inscriptions this officer generally takes precedence over the other instructors. Dumont, pp. 177—185; Daremberg and Saglio, iii 627 b.

διδασκάλους] Down to about B.C. 136 this term is regularly applied to the instructors of the ἐρῆβι, including the παιδοτρίβης, the ὀπλομαχοί and the rest (CIA ii 341, 465, 467, 469): after that date they are usually called παιδευταί. Dumont, p. 176; Daremberg and Saglio, iii 627; Grasberger, iii 167.

The four following verbs describe the functions of the several instructors. The corresponding official titles have hitherto been known to us from the ephebic inscriptions of the 3rd century. The literary evidence of the text is earlier than the earliest inscriptions mentioning these instructors.

ὀπλομαχεῖν] Xen. *Anab.* ii 1, 7; Plat. *Gorg.* 456 E, τοὺς παιδοτρίβας καὶ τοὺς ἐν ὅπλοις διδασκοντας μάχεσθαι, *Euthyd.* 271 D, *Laches* 179 E, 182 B, *Leg.* 804 D, 813 D, 833 E; Teles ap. Stob. *Flor.* 98, 72; Theophr. *περὶ μικροφιλοτιμίας* (with Jebb's note on p. 203). In the ephebic inscriptions the ὀπλομαχοί, or 'drill-serjeant,' ranks next to the κοσμητής and the παιδοτρίβης (Dumont, pp. 185—9). CIA ii 467 (= Ditt. no. 347) l. 52, B.C. 100, ἐπαυέσαι δὲ καὶ τοὺς διδασκάλους, τῶν τε παιδοτρίβης—καὶ τὸν ὀπλομαχόν—καὶ τὸν ἀκοντιστήν—καὶ τὸν ἀφότην. In an inscr. of Teos, the ὀπλομαχοί precedes τὸν διδᾶξοντα τοξεύειν καὶ ἀκοντίζειν and receives a stipend of 300 dr., as against 250 (Ditt. no. 349, 22—27). In the Attic inscriptions the usual order of precedence is ὀπλομαχοί, ἀκοντιστής, τοξότης, καταπαλταφότης, and after these the γραμματεὺς and ὑπηρέτης (CIA ii 316, 465, 467, 469—471, 482). The drill was held in the Lyceum (Grasberger, iii 139).

τοξεύειν] On the τοξότης, see Dumont, p. 152; Daremberg and Saglio, iii 628. He was not necessarily an Athenian (CIA ii 316, ll. 29, 72). Cf. Plat. *Leg.* 813 D.

ἀκοντίζειν] On the ἀκοντιστής, see Dumont, p. 190; Daremberg and Saglio, *l.c.* The same person is repeatedly mentioned in the inscriptions as holding this office for several years (CIA ii 465, 471).

καταπάλτην ἀφίεναι] *Eth.* iii 2, 17, p. 1111 a 11, δὲ πράττει ἀγνοήσειεν ἂν τις, ὅλον...δεῖξαι βουλόμενος ἀφίεναι, ὡς δὲ τὸν καταπάλτην. The instructor in charge of this department was called the ἀφότης or the καταπαλταφότης (*le maître de balistique*). The former title is found in B.C. 100; the latter in B.C. 282, CIA ii 316 (= Ditt. 346), 28, ἐπαυέσαι δὲ καὶ τὸν παιδοτρίβην—καὶ τὸν ἀκοντιστήν—[καὶ τὸν καταπαλταφότην—καὶ τὸν γραμματέα—καὶ τὸν τοξότην] (mentioned last in this case because he was not an Athenian, but a Cretan). καταπαλταφότης, καταπαλταφεία and καταπάλτης occur in an inscr. of Ceos, Ditt. no. 348, 25, 30, 27. Cf. CIA ii 413 (= Ditt. 196), 15 (after B.C. 200),

15 τοῖς μὲν σωφρονισταῖς δραχμὴν μίαν ἐκάστω, τοῖς δ' ἐφήβοις
 τέτταρας ὀβολοὺς ἐκάστω· τὰ δὲ τῶν φυλετῶν τῶν αὐτοῦ λαμ-
 βάνων ὁ σωφρονιστὴς ἕκαστος ἀγοράζει τὰ ἐπιτήδεια πᾶσιν εἰς τὸ
 κοινόν (συσσιτοῦσι γὰρ κατὰ φυλάς), καὶ τῶν ἄλλων ἐπιμελεῖται
 πάντων. καὶ τὸν μὲν πρῶτον ἐνιαυτὸν οὕτως διάγουσι· τὸν δ' 4
 30 ὕστερον, ἐκκλησίας ἐν τῷ θεάτρῳ γενομένης, ἀποδειξάμενοι τῷ

25 δραχμὴν μίαν per compendium scriptum < A. 23 συσσιτοῦσιν B. 29 οὕτω H-L.
 29—30 ΔΥΣΤΕΡΟΝ; δ' ὅστερον K, H-L, B: δεύτερον K-W, coll. Harpocr. τὸν δεύτερον

ΓΙΓ

ἐνιαυτὸν. 30 ΓΕΝ? γενομένης Blass (K-W, H-L, K²). ΑΠΟΔΕΙΞ K, K-W, B;
 ἐπιδειξ. H-L.

§ 4 * Harp. περίπολος:...'Αρ. ἐν 'Αθ. πολ. περὶ τῶν ἐφήβων λέγων φησὶν οὕτως τὸν
 δεῦτερον ἐνιαυτὸν ἐκκλησίας ἐν τῷ θεάτρῳ γενομένης (γιν. CD) ἀποδειξάμενοι (ἀποδειξάμενοι
 Dittenberger) τῷ δήμῳ περὶ τὰς τάξεις καὶ λαβόντες ἀσπίδα καὶ δόρυ παρὰ τοῦ δήμου
 περίπολοις τῇ χώρᾳ καὶ διατρίβουσιν ἐν τοῖς φυλακτηρίοις (Frag. 428², 468²). Schol.
 Aeschin. 2, 167.

eis τοὺς καταπάλτας νεύρας ἐπέδωκεν. The
 engine used in this exercise is termed in
 the inscriptions καταπάλης, ὄργανον or
 λιθοβόλος. καταπαλτῶν is the spelling
 found in B.C. 330 (CIA ii 807 b 129, 131,
 132); in B.C. 325 (ib. 809 c 10, 12, 13);
 and in B.C. 323 (ib. 811 b 196, 200). Cf.
 Dumont, p. 191; Daremberg and Saglio,
 iii 628 a; Grasberger, iii 166.

δραχμὴν μίαν κτλ.] Bekker, *Anecd.* 301,
 quoted on σωφρονιστῇ p. 152 a. Boeckh,
 ii xvi p. 332 Lamb.

§ 4. τὸν μὲν πρῶτον ἐνιαυτὸν κτλ.]
 Aeschines says of himself, *F. L.*, 2 § 167,
 περίπολος τῇς χώρας ταύτης ἐγενόμην δύο
 ἔτη. Hence it has been supposed that
 the ἐφήβοι served as περίπολοι for two
 years (Schömann, *Ant.* p. 360 E. T.;
 Philippi in *Rhein. Mus.* 34, 613). The
 text describes the first year as spent in
 military exercises, and the second as de-
 voted to the duties of περίπολοι (this was
 the view already held by Dittenberger,
De Ephebis, and Gilbert, i 296). The
 discrepancy is noticed in Harpocr. s. v.
 περίπολοι... παρατηρήσειν οὖν ὅτι ὁ μὲν
 Ἀριστοτέλης ἔνα φησὶν ἐνιαυτὸν ἐν τοῖς
 περίπολοις γίγνεσθαι τοὺς ἐφήβους, ὁ δὲ
 Διοχίτης δύο (cf. Dumont, p. 28 ff.). The
 purport of the text is quoted by the Schol.
 on Aeschin. l. c., οἱ γὰρ ἐφήβοι τὸν δε-
 υτερον ἐνιαυτὸν, ἐκκλησίας ἐν τῷ θεάτρῳ
 γενομένης, λαβόντες ἀσπίδα καὶ δόρυ παρὰ
 τοῦ δήμου, περιεπόλουν τοῦτόστι περιή-
 χοντο τὴν χώραν καὶ διέτρεβον ἐν τοῖς
 φυλακτηρίοις ἢ ἐν τοῖς φρουρίοις ἐνίοτε
 ἔτος μόνον, ἐνίοτε δύο. The context of
 the present passage shews that they acted
 as φρουροὶ for both years (§ 5), while it is

implied that they served as περίπολοι for
 the second year alone. Girard endeavours
 to remove the discrepancy by observing
 that the author 'ne dit pas expressé-
 ment, en effet, que les éphèbes n'étaient
 astreints au service de περίπολοι que la
 seconde année. Il se borne à constater
 que la première année était remplie par
 une sorte d'apprentissage du métier de
 soldat, mais cet apprentissage, qui se
 faisait au Pirée et à Munychie, avait
 déjà le caractère de ce que devait être,
 l'année suivante, la vie éphébique' (Darem-
 berg and Saglio, iii 629, note 174). It seems
 simpler to suppose that Aeschines was
 using a popular and only approximately
 accurate phrase in describing himself as
 περίπολος for two years.

ἐκκλησίας ἐν τῷ θεάτρῳ] Cf. A. Müller,
Bühnenallertümler, p. 74; and Jebb in
 Smith's *Dict. Ant.* ii 820 a. 'Juv. x 128;
 Plut. *Timol.* 34, 3; 38, 3; Nepos, *Timol.*
 4, 2. Athenian decree in Joseph. *Ant.*
 xiv 8, 5. The inscriptions bearing on
 this point are collected by Adam Reusch,
*de diebus contionum ordinariis ap. Atheni-
 enses*, diss. phil. Argentor. sel. iii 4'
 (Mayor).

ἀποδειξάμενοι κτλ.] i.e. 'having given
 public proof of proficiency in military
 exercises.' Harpocr. has ἀποδειξάμενοι,
 corrected by Dittenberger, *De Ephebis*,
 p. 12, n. 10. The ἐφήβοι of B.C. 100
 similarly appeared in public, at the end
 of their period of service, ἐποίησαντο δὲ
 καὶ ἐπ' ἐξόδῳ τῇς ἐφηβείας τὴν ἀπόδειξιν
 τῇ βουλῇ, CIA ii 467 (= Ditt. 347, 43); cf.
 ii 468, 26.

[Col. 12.] δῆμον || τὰ περὶ τὰς τάξεις, καὶ λαβόντες ἀσπίδα καὶ δόρυ παρὰ τῆς πόλεως, περιπολοῦσι τὴν χώραν καὶ διατρίβουσιν ἐν τοῖς 5 φυλακτηρίοις. φρουροῦσι δὲ τὰ δύο ἔτη, χλαμύδας ἔχοντες, καὶ ἀτελεῖς εἰσὶ πάντων καὶ δι[κ]ην οὐτ[ε] διδόνασιν οὔτε λαμβάνουσιν, ἵνα μὴ π[ρ]ό[φ]ασις ἢ τ[ο]ῦ ἀπιέναι, πλὴν περὶ κλήρου καὶ ἐπικλή- 35 [ρου], καὶ τινι κατὰ τὸ γένος ἱερωσύνη γένηται. διεξελθόντων δὲ τῶν δυεῖν ἐτῶν, ἤδη μετὰ τῶν ἄλλων εἰσὶν. τὰ μὲν οὖν περὶ τὴν τῶν πολιτῶν ἐγγραφὴν καὶ τοὺς ἐφήβους τοῦτον ἔχει τὸν τρόπον.

43. τὰς δ' ἀρχὰς τὰς περὶ τὴν ἐγκύκλιον διοίκησιν ἀπάσας

31 τὰ om. Harp. 32 τῆς πόλεως: τοῦ δήμου Harp. et Schol. Aeschin. 35 π[ρ]ό[φ]ασις ἢ τ[ο]ῦ ἀπιέναι in ectypro feliciter agnovit Blass (K²); legebatur πράγμασι συμμεγείναι τι? K¹; πρά[γμ]ασι συμμεγνύωνται J B Mayor, Hude (H-L); πρά[γμ]ασι συγγίνονται Rutherford (K-W). 36 ΚΑΤΑΤΟΓΕΝΟΣ?, κατὰ τὸ γένος K, H-L, B; κατὰ γένος K-W. 37 ΔΥΟΙΝ: δυοῖν K-W². 38 ΔΙΕΞΕΛΘΟΝΤΩΝ: διελθόντ. H-L. 39 ΔΥΟΙΝ: δυοῖν K-W².

ἀσπίδα καὶ δόρυ] These are exhibited on the vase representing the *erhebous* taking the oath, mentioned in note on § 3; τὰ ἐπὶ περιέχοντα.

§ 5. φρουροῦσι] The Schol. on Aeschin. F. L. 167 quotes the two following lines from Eupolis, οὗτος ἐν τοῖς φρουρίοις κοιτάζεται, and τοὺς περικύκλους ἀπιέναι εἰς τὰ φρούρια. The ἐφηβοὶ of B.C. 100 (CIA ii 467, 22 and 87) ἐξῆλθον ἐπὶ τὰ φρούρια καὶ τὰ ὅρια τῆς Ἀττικῆς πλεονέκεις ἐν ὅπλοις. Among the φρούρια were Anaphlytus, Thoricus, Sunim, Rhamnus, Eleusis, Phyle, Aphidna (Gilbert, i 297).

χλαμύδας] 'short gowns or mantles.' Pollux, x 164, τὸ δὲ τῶν ἐφήβων φόρημα πέτασος καὶ χλαμύδων Φιλῆμων ἐν Θυριωρῷ ἐγὼ γὰρ ἐν τῇ χλαμύδᾳ κατεβίβην ποτὶ καὶ τὸν πέτασον.

Cf. Antidotus, ap. Athen. 240 B, ἐγγραφῆναι καὶ λαβεῖν τὸ χλαμύδων. Meleager, in *Antih. P.* vii 468, has an epitaph on a youth whom his mother ὀκτωκαιδεκέταν ἐστόλκεν χλαμύδι. ἐκ χλαμύδος=ἐξ ἐφήβου in Plut. ii 752 E, cf. 754 F. It appears on vases as the characteristic dress of young men (L and S), e.g. Tischbein, *Vases*, i 14; Hamilton, *Vases*, i 2 (in Smith, *Dict. Ant.* i 416); and esp. on a *lecythus* from Eretria (Studniczka, *Jahrb. des Kais. deutsch. arch. Inst.* ii 163; Daremberg and Saglio, iii 630, fig. 1680). The garb of the ἐφηβοὶ is sometimes supposed to have been 'yellow or saffron-coloured' (*Dict. Ant. l.c.*), but it was black according to Philostratus, *Vit. Soph.* ii 1, 5, μελαίνας χλαμύδας ἐννεμμένοι τὰς ἐκκλησίας περικέκρητο καὶ τὰς πομπὰς ἔπαινον.

Herodes Atticus altered it into white and himself defrayed the cost of the change (CIA iii 1132; Capes, *Univ. Life*, p. 9).

ἀτελεῖς—πάντων] This general exemption did not include the *τρηπαρχία*, which was incumbent on all Athenians of a certain *centus* from the time of their enrolment on the *ληξιαρχικὸν γραμματεῖον* (Dem. *Mid.* 154). Even this *ληγουργία* was remitted for one year in the case of orphans, Lys. 32 § 24, οὗς ἡ πόλις οὐ μόνον παῖδας ὄντας ἀτελεῖς ἐποίησεν, ἀλλὰ καὶ ἐπειδὴν δοκιμασθῶσιν ἐνιαυτὸν ἀφῆκεν ἀπασῶν τῶν *ληγουργιῶν*.

περὶ κλήρου] Thus Demosthenes sued his guardians as soon as he came of age, *Onet.* i 15, 17; *Mid.* 78. *ἐπικλήρου*] At the age of 18, the young Athenian became κύριος τῆς ἐπικλήρου, Isaeus 8 § 31, 10 § 12, *frag.* 90, Hyperid. *frag.* 123 = 194; Suidas, s. v. *ληξιαρχικὸν γραμματεῖον*, B; A. Schäfer, *Dem.* III 2, p. 24 f.

The list of lawsuits in the text is possibly not exhaustive. In Lys. 10 § 4 the speaker, who was 13 at the time when his father was put to death by the Thirty, instituted a prosecution against them before the Areopagus as soon as he came of age, *ἐπειδὴ τάχιιστα ἐδοκίμασθην* (§ 31, in B.C. 399). The other alternative is to assume that the statement applies only to the time of the writer (Hager in Smith, *Dict. Ant.* ii 1066 a).

XLIII § 1. *On officials elected by show of hands.*

§ 1. τὴν ἐγκύκλιον διοίκησιν] *Pol.* 1255 b 25, ἐγκύκλια διακοσμήματα, 1263 a 21, ἐγκύκλιοι διακοσίαι (every-day duties). 1269

ποιοῦσι κληρωτάς, πλὴν ταμίου στρατιωτικῶν καὶ τῶν ἐπὶ τὸ θεωρικὸν καὶ τοῦ τῶν κρηνῶν ἐπιμελητοῦ. ταύτας δὲ χειροτονοῦσιν, καὶ οἱ χειροτονηθέντες ἄρχουσιν ἐκ Παναθηναίων εἰς Παναθηναία. χειροτονοῦσι δὲ καὶ τὰς πρὸς τὸν πόλεμον ἀπάσας.

K

XLIII 2 ΠΛΗΡΩΤΑΣ (6 ΠΛΗΡΟΥΤΑΙ).

Richards.

8 ΚΡΗΝΩΝ: ΚΟΥΩΝ J W Headlam (H-L).

<τοῦ> ταμίου <τῶν> στρατιωτικῶν

δ 35 (of courage), χρήσιμοι πρὸς οὐδὲν τῶν ἐγκυκλίων ἀλλ' ἐπερὶ τὸν πόλεμον. *Oecon.* 2, 1346 a 8, πρόσδοσι ἀπὸ τῶν ἐγκυκλίων.

ταμίου—στρατιωτικῶν] The war-fund included the income from the property-tax and the surplus of the yearly revenue, [Dem.] *Neser.* 4, τὰ περιόντα χρήματα τῆς διοικήσεως. The fund was administered by the ταμίαι τῶν στρ. This official provided pay for the troops and defrayed all other military expenses (Smith, *Dict. Ant.* ii 761 δ). He is first mentioned in B.C. 338, [Plut.] *Lycurg.* 27. In 334 (CIA ii 739) he makes payments to the treasurers of Athens and to the commissioners for restoring the figures of Νίκη and the articles of plate used in processions (see further in Hartel, *Studien über att. Staatsrecht*, pp. 135–6; Gilbert, i 237; Dürrbach, *Foratour Lycurgus*, pp. 32–33). For some of his other duties cf. *inf.* c. 47 § 2, 49 § 3.

τῶν ἐπὶ τὸ θεωρικόν] probably instituted under the administration of Eubulus (between B.C. 354 and 339). It has been a moot point whether there was only one official ἐπὶ τὸ θεωρικόν or more (Gilbert i 229). The text implies that there were several. In B.C. 343/2, CIA ii 114 c 5, a single individual is mentioned ἐπὶ τὸ θεωρικόν, immediately after the γραμματεὺς κατὰ πρυτανείαν and ἐπὶ τὰ ψηφίσματα, and immediately before the βουλῆς ταμίαι; thus he is possibly only a βουλευτὴς charged with looking after that department of business and is not necessarily to be identified with the management of the fund. Aeschines, c. *Ctes.* § 24, mentions the archon of the year in which Dem. was elected treasurer of the θεωρικόν; hence it was inferred by Boeckh (II vii p. 248 Lamb) that the office was annual. The text shews that it was held for four years, from one Panathenaic festival to the next. Cf. 47 § 2.

κρηνῶν ἐπιμελητοῦ] κρηνῶν ἐπιμεληταὶ are mentioned in *Pol.* 1321 δ 26, where Athens is doubtless in Aristotle's mind, though not expressly named. Plato, *Leg.* 758 E, refers to κρηνῶν ἐπιμελητάς. An inscr. published in the *Ἐφημερίς Ἀρχαιο-*

λογική, 1889, pp. 13—16, no. 28, describes the work done by one Pytheas as ἐπιμελητῆς τῶν κρηνῶν in B.C. 333. ἐπειδὴ Πυθέας ἀρεθεῖς ἐπὶ τὰς κρήνας τῶν ἄλλων ἐν τῇ ἀρχῇ ἐπιμελεῖται καλῶς καὶ φιλοτιμῶς κτλ' ἐπαινεῖται Πυθῶν... ἀρετῆς ἔνεκα καὶ δικαιοσύνης τῆς περὶ τὴν ἐπιμέλειαν τῶν κρηνῶν, ὅπως ἂν οἱ ἄλλοι οἱ δέι χειροτονούμενοι ἐπὶ τὰς κρήνας φιλοτιμῶνται κτλ.

Cf. Hesych. s. v. κρηνώγῃ (sic) ἀρχῇ ἐπὶ τῆς ἐπιμελείας ὁδοῦ, and Pollux viii 113, ἐπιμελητῆς δὲ τις... ἐγένετο, ὃς καὶ ἐκαλεῖτο ἐφ' ὁδῶν, ἦν... καὶ κρηνοφύλακος ἀρχῇ: also Photius, κρηνοφύλαξ ἦν δὲ καὶ ἀρχὴ τις Ἀθήρων. It is uncertain whether κρηνοφύλαξ was another name for this officer or the title of a subordinate official. The importance of this officer is indicated by his being elected and not appointed by lot. The office of ὁδοῦ ἐπιστάτης was held by Themistocles (Plut. *Them.* 31 § 1). Cf. Daremberg and Saglio, s. v. *Epimelates*, ii p. 668 b.

As two of the officials mentioned in the text are connected with finance, some surprise has been felt that no notice is taken of the important financial officer called the ταμίαι τῆς κοινῆς προσόδου or ὁ ἐπὶ τῇ διοικῇ. (The latter title is supposed by Fellner to have been introduced about 300 B.C., but the supposition is not approved by Gilbert, i 233. Cf. Dürrbach, *Lycurgus*, pp. 21—38.)

This official, like those in the text, held office for one term of four years only, [Plut.] *vi.* *Lycurg.* 3. Lycurgus, whose financial activity began in 338, is described as ταχθεὶς ἐπὶ τῇ διοικῇ (Hyper. *frag.* 121 Blass); he probably ceased to hold this office in 334, and this treatise was written about ten years later. Hence, it is suggested by Mr J. W. Headlam to alter κρηνῶν into κοινῶν. It would be safer, however, to suppose that καὶ τοῦ ἐπὶ τῇ διοικῇ had dropped out, than to accept this suggestion. The fact that the κρηνῶν ἐπιμελητῆς was elected at the Panathenaea (about 23—28 Hecatombaeon, before the middle of August) is confirmed by the above decree in honour of Pytheas, which is dated 9 Metageitnion,

- 2 βουλὴ δὲ κληροῦται πεντακόσιοι, πενήκοντα ἀπὸ <τῆς> φυλῆς ἐκάστης. πρυτανεύει δ' ἐν μέρει τῶν φυλῶν ἐκάστη καθ' ὃ τι ἀν λάχωσιν, αἱ μὲν πρῶται τέτταρες ἐξ καὶ τριάκοντα ἡμέρας ἐκάστη, 8

6 φ̄ n̄ (K, H-W, B); πεντακόσιοι, πενήκοντα H-L.

<τῆς> φυλῆς B.

TESTIMONIA. **XLIII § 2** *Harp. πρυτανείας... ἐστὶ δὲ ἀριθμὸς ἡμερῶν ἡ πρυτανεία ἦτοι λς ἡ λε, ἃς ἐκάστη φυλὴ πρυτανεύει. διελκεται δὲ περὶ τούτων 'Αρ. ἐν τῇ 'Αθ. πολ. Harp. (= Bekk. An. 291, 4, Lex. Dem. Patm., Schol. Plat. p. 459) πρυτάνεις: ... ἐπρυτάνεον δὲ... ἐκ διαδοχῆς ἀλλήλαις αἱ δέκα φυλαὶ κλήρω λαχούσαι. Schol. Plat. Leg. p. 459: πρυτανεία δὲ ἐστὶν ἀριθμὸς τῶν ἡμερῶν ἦτοι λς ἡ λε, ἃς ἐκάστη φυλὴ πρυτανεύει λέγεσθαι... καὶ δέησθαι εἰς ταύτας αἱ ἡμέραι τοῦ ἐνιαυτοῦ κατὰ γὰρ σελήην ἀγούσι τοῦτον, ὡς ἐκάστη φυλὴ τῶν δέκα ἐπιβάλλειν λε ἡμέρας, πλεονάζειν δὲ ὀλίγας. διὸ καὶ τὰς λοιπὰς ἀπέδωκαν οἱ Ἀθηναῖοι ταῖς πρῶταις λαχούσαις τέσσασι φυλαῖς, ἵνα ἐκείνων μὲν ἐκάστη τὰς λς ἡμέρας πρυτανεύῃ, αἱ δὲ λοιπαὶ ἐξ ἀνὰ λε. Fere eadem Photius, πρυτανεία, inter alia ἐνιαυτῶν δὲ οἱ Ἀθηναῖοι τὸν σεληνιακὸν ἥγον (Frag. 393², 433²). Schol. Maximi Planudis ad Hermog. in *Rhet. Gr.* v p. 509, 20 Walz: ὠρισμένοι ἦσαν ἐκκλησίαι κατὰ πρυτανείαν ἐκάστην τέσσαρες· δέκα δὲ ὁσῶν Ἀθήνησι φυλῶν ἐπρυτάνεον αἱ μὲν πρῶται λαχούσαι φυλαὶ τέσσαρες ἀνὰ τριάκοντα ἐξ ἡμέρας, αἱ δὲ λοιπαὶ ἐξ ἀνὰ τριάκοντα πέντε κτλ.

eleven days after the close of the Panathenaea.

ἐκ Παναθηναίων εἰς Παναθήναια] *i.e.* for four years. The phrase (with *εἰς* for *ἐν*) occurs in CIA i 32 A 28, B 27 (Hicks, no. 37); 117, 3; 121; 125; 129; 133; 141, &c; 170; 273 (Hicks, no. 46). The greater Panathenaea were held in every third Olympic year, in the same year as the Pythian games. The *loci classici* are collected in Michaelis, *Parthenon*, Anhang II, 318—333.

ταῖς πρὸς τὸν πόλεμον] The offices of στρατηγοὶ and their subordinates, the ὑπαρχοί, φύλαρχοι and ταξίαρχοι. Cf. Gilbert i 220 ff., and Headlam, *On the Lot*, p. 102; *inf.* 61 § 1.

§ 2, 3. *The Council.* On the subject in general, see Hermann, *Staatsalt.* §§ 125—127; Schömann, *Ant.*, p. 371—9, E. T.; Gilbert, i 251—264; Smith, *Dict. Ant.* i 309.

§ 2. κληροῦται] It was appointment by lot that made the Council consistent with the democratical constitution of Athens and prevented its becoming an oligarchical body of higher authority than the public assembly. The power of the old aristocracy had centred in a Council, and this power was broken down by the introduction of the lot. The Council of 400 under the 'Draconian constitution' is described as appointed by lot (4 § 3). The earliest documentary evidence bearing on this subject is an inscr. of Erythrae, the constitution of which was modelled on that of Athens in B.C. 455—450. It is there ordained for Erythrae (as for Athens) ἀπὸ κυάμεων βουλὴν εἶναι (CIA i 9

= Hicks, no. 23). Cf. Headlam, *On the Lot*, pp. 41—56, 86.

πρυτανεύει] 'presides,' *i.e.* sits as a superintending sub-committee of the Council. Cf. Harpocr. s. v. πρυτάνεις, Schol. Aeschin. 3 § 3; also Schömann, p. 376, and Gilbert, i 255. Even the order in which the πρυτάνεις held office is determined by lot (cf. Headlam, *l.c.*, p. 51). This fact had already been ascertained by Clinton, *Fasti*, ii 344—6 = 415—8.

αἱ μὲν πρῶται κτλ.] The normal Attic year consisting of 354 days, the tenth part would be 35 days, and 4 over. It has been supposed by Gilbert, i 255, that these four days were assigned to the several prytanies by lot. The text states that they were assigned to the first four prytanies, which thus lasted for 36 days, the remaining six lasting for 35 only. This fact was already known to us through Photius, Suidas and the Schol. in Hermogenem, v p. 509; but their authority was set aside on the evidence of the Choiseul Marble, CIA i 188 (Ditt. no. 44), ll. 25—40, B.C. 410/9, where we have express mention of the 36th day of the 8th, 9th, and 10th prytanies. Hence it was inferred by Clinton, *Fasti*, ii 346—418, that the four supernumerary days were assigned to the last tribes and not to the first. While this was clearly the case in B.C. 410, the text shews that, in the writer's time, the latter plan was adopted instead.

The duration of the πρυτανείαι is discussed by Unger, *Philol.* 38 p. 425 ff., Usener, *Rhein. Mus.* 34 p. 392 ff., and A. Schmidt, *Gr. Chronologie*, pp. 241, 423 etc.

αἱ δὲ ἐξ αἱ ὕστεραι πέντε καὶ τριάκοντα ἡμέρας ἐκάστη· κατὰ
 10 σελήνην γὰρ ἄγουσιν τὸν ἐνιαυτόν. οἱ δὲ πρυτανεύοντες αὐτῶν 3
 πρῶτον μὲν συσσιτοῦσιν ἐν τῇ θόλῳ, λαμβάνοντες ἀργύριον παρὰ
 τῆς πόλεως, ἔπειτα συνάγουσιν καὶ τὴν βουλὴν καὶ τὸν δῆμον,
 τὴν μὲν [οὖν] βουλὴν δοῦναι ἡμέραι, πλὴν ἐάν τις ἀφέσιμος ᾖ, τὸν δὲ
 δῆμον τετράκις τῆς πρυτανείας ἐκάστης. καὶ ὅσ[α] δεῖ χρηματί-

9—10 κατὰ σελήνην—ἐνιαυτόν del. Lipsius, Herwerden.

10 ἄγουσι H-L.

12 συνάγουσι H-L. καὶ (vel ei ?): καὶ τὴν K¹, K-W, B: εἰς τὴν K¹, τὴν H-L. 13 οὖν om. Harp. (K-W, H-L, B): retinet K coll. Ar. Poel. 1458 a 25 etc (Ind. Ar. p. 540 δ). ΠΛΗΝΕΝΑΝ COIT. K. 14 ΧΡΗΜΑΤΙΖΕΙ COIT. K.

§§ 3, 4, 6 Pollux viii 95, πρυτάνεις: οὗτοι τὴν βουλὴν συνάγουσιν ὁσμήραι, πλὴν ἂν τις ᾖ ἀφετός, "τὸν δὲ δῆμον τετράκις" ἐκάστης πρυτανείας· καὶ προγράφουσι πρὸ τῆς βουλῆς καὶ πρὸ τῆς ἐκκλησίας ὑπὲρ ὧν "δεῖ χρηματίζειν." τῶν δ' ἐκκλησιῶν ἡ μὲν κυρία, ἐν ᾗ τὰς ἀρχὰς ἐπιχειροῦσιν, ἅπερ καλῶς ἀρχοῦσιν, ἢ ἀποχειροῦσιν· ἐν ᾗ καὶ τὰς εἰσαγγελίας ὁ βουλευόμενος εἰσαγγέλλει, "καὶ τὰς ἀπογραφὰς τῶν δημευόμενων" ἀναγιγνώσκουσιν αὐτὸς πρὸς ταῖς δίκαις, "καὶ τὰς λήξεις τῶν κλήρων." 96, ἡ δὲ δευτέρα ἐκκλησία ἀνέιται τοῖς βουλομένοις ἱκετηρίαν θεμένους λέγειν ἀδεῶς περὶ τε τῶν ἰδίων καὶ τῶν δημοσίων· ἡ δὲ τρίτη "κῆρυξ καὶ πρεσβείαις" ἀξιοῖ χρηματίζειν, οὗς δὲ πρότερον τοῖς πρυτάνευσιν ἀποδοῦναι τὰ γράμματα, ἡ δὲ τετάρτη περὶ ἱερῶν καὶ ὁρίων (Frag. 394², 434²). Cf. Schol. in Aeschin. i § 104.

§§ 3, 4. Harp. κυρία ἐκκλησία:... τῶν δὲ αἱ κύριαι ἐκκλησίαι 'Αρ. δεδῆλκεν ἐν τῇ 'Αθ. πολ. λέγων τοὺς πρυτάνεις συνάγειν "τὴν βουλὴν καὶ τὸν δῆμον, τὴν μὲν βουλὴν" ὁσμήραι, "πλὴν—ἐκάστης." προγράφουσι δὲ φησι καὶ κυρία ἐκκλησία, ἐν ᾗ δεῖ τὰς ἀρχὰς ἀποχειροῦσιν ὁ δοκοῦσι μὴ καλῶς ἀρχεῖν· καὶ περὶ φυλακῆς δὲ τῆς χώρας. "καὶ τὰς εἰσαγγελίας—ποιεῖσθαι" φησι καὶ τὰ ἐξῆς (Frag. 395², 435²).

κατὰ σελήνην—ἐνιαυτόν] This explanation is introduced quite as naturally as that in the corresponding passage of Schömann's *Anl.*, p. 376 E. T., where, immediately after defining the duration of a prytany, the writer continues: 'The Athenians, it may be explained, had a legal lunar year consisting of 12 months of 29 and 30 days alternately, and therefore of 354 days altogether.' The phrase reminds one of Arist. *Nub.* 626, κατὰ σελήνην ὡς ἄγειν χρόν τοῦ βίου τὰς ἡμέρας, and Diog. Laert. i 59 (of Solon), ἥλιώσε τε 'Αθηναίων τὰς ἡμέρας κατὰ σελήνην ἄγειν. The explanation (like many others in this treatise) would not be needed by Athenian readers; but it does not necessarily follow that it is an interpolation, as suggested by Lipsius, *Leipzig Verhandl.*, 1891, p. 47 n.

§ 3. συσσιτοῦσιν ἐν τῇ θόλῳ] Dem. *F. L.* § 190, οἱ πρυτάνεις θύουσιν ἐκάστοτε κοινῇ καὶ συνδειπνοῦσιν ἀλλήλοις καὶ συνεπένδουσιν. Ammonius ap. Harpocr. s. v. θόλος, —ὁ δὲ τόπος οὗ ἐστὶν ὡς αἱ πρυτάνεις καλεῖται θόλος. Cf. Pollux viii 155; Bekker, *Anecd.* 264. On a special emergency the βουλὴ even passed the night there, Andoc. *de Myst.* 45. It was also called the σκαῖς (Gilbert, i 256, n. 4). It was near the βουλευτήριον (Paus. i 5,

i), to the north of the east end of the Areopagus (Curtius, *Stadgeschichte*, p. xciii and 171). Thus the πρυτάνεις could readily leave the θόλος to attend the meetings of the whole body of the Council in the neighbouring βουλευτήριον. Cf. Wachsmuth, *Stadt Athen*, ii 315.

συνάγουσιν κτλ.] CIA ii 417, 459 and elsewhere (of the πρυτάνεις), ἐπεμελήθησαν δὲ καὶ τῆς συλλογῆς τῆς τε βουλῆς καὶ τοῦ δήμου καὶ τῶν ἄλλων ὡς αὐτοῖς προσέταττον οἱ νόμοι.

δοῦναι ἡμέραι] The manuscript reading has been retained, 'as it facilitates the following τις' (J. B. Mayor). Hitherto our earliest authority for this equivalent to ὁσμήραι has been Themistius (A.D. 355), who also has δοῦναι ὥραι in p. 192 D. δοῦναι μῆρας occurs in Dem. 744, 25 (L and S).

ἀφέσιμος] Aristides i 344 Jebb. The large number of such holidays is noticed in [Xen.] *de Rep. Ath.* 3, 2. Among them were the *Apaturia* (Athen. 171 E), the *Thesmophoria* (Arist. *Thesm.* 79), the *Kronia* (Dem. 24 § 26), and the ἀποφράδες ἡμέραι (Plut. *Alc.* 34). Gilbert, i 258, n. 4.

τετράκις] Elsewhere (Photius, s. v. κυρία ἐκκλησία, Schol. Arist. *Ac.* 19 and Schol. Dem. 24 § 20) we are told of *έτερε*

ζειν τὴν βουλὴν [[καὶ ὁ τι] ἐν ἐκάστη τῇ ἡμέρᾳ, καὶ ὅπου καθίζειν, 15
 4 οὗτοι προγράφουσι. προγράφουσι δὲ καὶ τὰς ἐκκλησίας οὗτοι,
 μίαν μὲν κυρίαν, ἐν ᾗ δεῖ τὰς ἀρχὰς ἐπιχειροτονεῖν εἰ δοκοῦσι
 καλῶς ἄρχειν, καὶ περὶ σίτου καὶ περὶ φυλακῆς τῆς χώρας χρημα-
 τίζειν, καὶ τὰς εἰσαγγελίας ἐν ταύτῃ τῇ ἡμέρᾳ τοὺς βουλομένους
 ποιεῖσθαι, καὶ τὰς ἀπογραφὰς τῶν δημευόμενων ἀναγινώσκειν, καὶ 20
 τὰς λήξεις τῶν κλήρων καὶ τῶν ἐπικλήρων [[ἀναγινώσκειν]], [ὅπως]

15 ΚΑΙΟΤΙ (corr. e ΚΑΙΤΟΥ) secl. v. ΟΤΙΟΓΚΑΘ...ΕΙ: ὁ τι οὐ καθήκει? K;
 ΟΤΙΟΓΚΑΘΕΙΖΕΙ? ὅπου καθίζειν egregie K-W (B); etiam Herwerden verbum καθίζει hic
 latere suspicabatur. 20, 21 ἀναγινώσκειν (bis) K², H-L (Meisterhans, n. 1238²):
 ΑΝΑΓΙΝ (K, K-W); verbum in v. 21 secl. K-W, B.

§ 4 *Lex. rhet. Cantab. κυρία ἐκκλησία: ...ἀμεινον οὖν Ἀριστοτέλει <πείθεσθαι>·
 τὰς γὰρ ἀρχὰς ἐν ταῖς κυρίαις ἐκκλησίαις φησὶν ἐπιχειροτονεῖσθαι καὶ τὰς εἰσαγγελίας
 <τὸν βουλούμενον εἰσαγγέλλειν addidit Meier> καὶ τὰ ἄλλα τῶν ἀναγκαίων χρηματίζειν
 "καὶ περὶ σίτου <καὶ> φυλακῆς τῆς χώρας, καὶ τὰς ἀπογραφὰς—κλήρων."

meetings in each month, all of them termed κυρία ἐκκλησία. But the text shews that there was only one κυρία ἐκκλησία in each month (§ 4), as already held by Gilbert, i 269, n. 1.

ὅπου καθίζειν] The sessions of the βουλὴ, though ordinarily held in the βουλευτήριον, were occasionally transferred to the Eleusinion, the Theseum or the Panathenaic Stadium, or even to the Acropolis (Gilbert, i 259 n. 1). ὁ τι οὐ καθήκει could only mean 'what is not suitable'; and such a sense is out of place here. I was once inclined to suggest ὅταν καθήκη, 'at the proper time,' lit. 'whenever the time arrives.' Dem. p. 399, 6, ἐκκλησίαν ποιῆσαι, ὅταν ἐκ τῶν νόμων καθήκη. Ar. Hist. An. viii 2, 23, ὁ χρόνος καθήκει.

προγράφουσι] CIA ii 61, ἐπειδὴν δὲ ταῦτα παρασκευασθῇ, τοὺς πρυτάνεις προγράψαι περὶ τούτων ἐν βουλευτηρίῳ ὅταν οἶόν τε ᾖ.

§§ 4—6. The Public Assembly.

§ 4. προγράφουσι—ἐκκλησίας] Five days notice was given; Bekker, Anecd. 296, 8, πρότεμπτα (Gilbert, i 270 n. 1).

μίαν μὲν κυρίαν] see note on τετράκις, § 3. The agenda for the κυρία ἐκκλησία were already known through citations of this passage in Harpocr. (Gilbert, i 282).

ἐπιχειροτονεῖν] 'confirm the election of.' Harpocr. s. v. καταχειροτονία. ἔθος ᾧ Ἀθηναῖοι κατὰ τῶν ἀρχόντων καὶ κατὰ τῶν συκοφαντῶν προβολὰς ἐν τῷ δήμῳ τίθεσθαι· εἰ δὲ τις καταχειροτονηθεῖ, οὗτος εἰστέγοι εἰς τὸ δικαστήριον. For this καταχειροτονία he refers to Theophrastus, ἐν δ' Νόμων. Cf. Schömann, De Comititiis, p. 231; Ant. 391 E. T. The term προ-

βολή is inaccurately applied to the ἐπιχειροτονία (Meier and Schömann, note 389 Lips.; and Smith, Dict. Ant. ii 492 b).

περὶ σίτου] Xen. Mem. iii 6, 13, πόσον χρόνον ἱκανὸς ἐστὶν ὁ ἐκ τῆς χώρας γιγνόμενος σίτος διατρέφειν τὴν πόλιν, καὶ πόσον εἰς τὸν ἐνιαυτὸν προσδεῖται.

περὶ φυλακῆς] id. § 10, περὶ γε φυλακῆς τῆς χώρας οἷδ' ὅτι ἤδη σοι μεμλήκε, καὶ οἰσθα, ὅποσαι τε φυλακαὶ ἐπικαιροὶ εἰσι καὶ ὅποσαι μὴ, καὶ ὅποσοι τε φρουροὶ ἱκανοὶ εἰσι κτλ. This topic of deliberation is mentioned in Ar. Rhet. i 4 § 10, περὶ φυλακῆς τῆς χώρας μὴ λαμβάνειν πῶς φυλάττεται κτλ.: in Pol. 1298 a 3 it is omitted. Cf. CIA ii 225 and 334, εἰς φυλακὴν τῆς χώρας (Gilbert i 282 n. 2).

τὰς εἰσαγγελίας] Such information might either be brought before the βουλὴ, through the πρυτάνεις; or (as here) before the ἐκκλησία, through the θεσμοθέται (c. 59). Cf. Hager in Smith, Dict. Ant. i 709, ii 1067.

τὰς ἀπογραφὰς τῶν δημευόμενων] 'inventories of confiscated property.' Pol. 1298 a 3, περὶ...θημεύσεως. On ἀπογραφὴ see Meier and Schömann, pp. 304—6 Lips., and Dict. Ant. s. v.

τὰς λήξεις τῶν κλήρων καὶ τῶν ἐπικλήρων] i.e. the legal claims (or 'lists of suits') for the right of succession to inheritances, and for that of marrying the daughter of a citizen who has left no son to inherit his estate (56 § 6, κλήρων καὶ ἐπικλήρων ἐπιδικασίαι). Meier and Schömann, pp. 791—4, 606—8, 616 Lips.; Dict. Ant. s. v. Heres, i 947 a and Epicleus, p. 747 a.

ὅπως—ἵρημον γενόμενον] 'that all may have cognisance of any vacancy in an

μηδένα λάθῃ μηδὲν ἔρημον γενόμενον. ἐπὶ [δὲ] τῆς ἑκτῆς πρυτανείας πρὸς τοῖς εἰρημένοις καὶ περὶ τῆς ὄστρακοφορίας ἐπιχειροτονίαν διδῶσιν, εἰ δοκεῖ ποιεῖν ἢ μὴ, καὶ συκοφαντῶν προβολὰς τῶν
 25 Ἀθηναίων καὶ τῶν μετοίκων μέχρι τριῶν ἑκατέρ[ων, κἄν τι]ς ὑποσχόμενός τι μὴ ποιήσῃ τῷ δήμῳ. ἑτέραν δὲ ταῖς ἱκετηρίαις, 6

23 ΗΡΗΜΕΝΟΙΣ. ἐπιχειροτονίαν; idem habet lexicī rhet. Cantabrig. codex a Dobreo exscriptus (K, H-L, B): προχειροτονίαν K-W quod ibidem a Meiero scriptum est.
 25 ΕΚΑΤΕΡΑΝ? κἄν τις Blass, Fränkel (H-L, K²); εἰς τις K¹; καὶ εἰς τις K-W.
 26 ἑτέραν δὲ K, K-W, B; ἑτέρα δ' ἐστὶ H-L, quod 'spatium non capit' (K²).

§ 5 *ib.* "ἐπὶ δὲ τῆς ἑκτῆς—ἐπιχειροτονίαν" (προχειροτονίαν *edd.*) διδῶσθαι εἰ δοκεῖ ἢ μὴ (Frag. 396², 436²). Hesych. κυρία ἐκκλ.: μία κυρία ἐκκλησία ἤγετο Ἀθηναίων, ἐν ᾗ τὰς ἀρχὰς ἐπιχειροτονεῖν ἔδει.

estate.' This clause refers only to the suits concerning κλήροι and ἐπίκληροι. ἔρημος is a specially appropriate epithet for an estate deprived of its owner, or for children bereft of their father: Plat. *Leg.* 927, εἰς ὁρμὰν καὶ ἔρημα ὕβριζουσιν. The object of this public recital was partly to draw attention to any claims on the estate; partly to give due notice to all who were interested in establishing a right of succession.

§ 5. ἑκτῆς πρυτανείας] In B.C. 410/9, when the Attic year began on July 14, the sixth πρυτανεία began on Jan. 5, B.C. 409 (Clinton, *Fasti*, ii 347=418).

ὄστρακοφορίας] On this occasion the point to be determined was whether there was a case for having recourse to ostracism; if so, a day was fixed for the final voting in the eighth πρυτανεία (Lex. Cant. s. v. ὄστρακισμός; Schol. Arist. *Eq.* 851, and *fragm. Lex. Dem. Aristocr.*; cf. Blass in *Hermes*, 1882, p. 152).

"A. Schmidt, *Gr. Chronologie*, p. 259, seeks to reconcile Aristotle and Philochorus. The date of the ὄστρακοφορία is explained by the desire to settle a dangerous political struggle before the opening of spring, i.e. before the end of Anthesterion. The 6th prytany in an ordinary year is equivalent in general to Gamelion 1—Anthesterion 5. But Philochorus wished to embrace the case of an intercalary year in which the 7th prytany is equivalent in general to Gamelion 22—end of Anthesterion: 'before the eight prytany' means either in the 6th or 7th, for if the principle was that the ostracism was to be proposed in Gamelion or Anthesterion, it might fall in the 7th prytany of an intercalary year. The hypothesis is absurd, for absolutely no reason is suggested why the Athenians should have ostracised men later in the year if it chanced to be intercalary,—to say nothing of other obvious

objections" (Wyse).

συκοφαντῶν προβολὰς] A προβολή was a preliminary criminal information brought before the public assembly; if the people approved, a trial before an ordinary law-court ensued. This procedure was applied in the case of those who had accused the generals concerned in the battle of Arginusae (Xen. *Hell.* i 7 § 34). The case against Midias began with a προβολή. Cf. Schömann, *De Comitiis*, p. 231 ff., Meier and Schömann, p. 335 Lips., *Dict. Ant.* ii 492 a, 732 a.

For its application in the case of συκοφάνται, cf. Isocr. *Antid.* 314, κατὰ δὲ τοῦτων (sc. τῶν συκοφαντῶν ἐποίησαν) γραφὰς μὲν πρὸς τοῖς θεσμοθέταις, εἰσαγγελίας δ' εἰς τὴν βουλὴν, προβολὰς δ' ἐν τῷ δήμῳ, and Aeschin. *F. L.* 145, τῶν συκοφαντῶν ὡς κακοῦργων δημοσίᾳ προβολὰς ποιούμεθα, also Pollux viii 46, προβολαὶ δὲ ἦσαν καὶ αἱ τῆς συκοφαντίας γραφαί.

τῶν μετοίκων] This implies that a μέτοικος could be charged with συκοφαντία. Hence it follows that he was entitled to give information against public offenders. Ordinarily this right was confined to citizens (Plut. *Sol.* 18, ἐξῆν τῷ δυναμένῳ καὶ βουλευμένῳ κτλ.). A foreigner, who desired to accuse a person of any offence against the people, was required to obtain special permission for that purpose, ἀδεία, Andoc. *De Myst.* § 15. Cf. Meier and Schömann, p. 330 Lips.

κἄν τις ὑποσχόμενος κτλ.] Dem. *Lept.* 100, ἐστὶ δὲ δήπου νόμος ὅμιν, εἰς τις ὑποσχόμενός τι τὸν δῆμον ἢ βουλὴν ἢ δικαστήριον ἐξαπατήσῃ, τὰ ἔσχατα πάσχειν, and *ib.* 135 (where it is called a νόμος ἀρχαῖος and death is named as the penalty). The procedure began either with a προβολή (as in Xen. *Hell.* i 7 § 35) or an εἰσαγγελία, [Dem.] c. *Timotheus*. 49 § 67.
 § 6. ἱκετηρίαις] 'supplications,' 'formal

[Col. 23.] ἐν ᾗ θεὶς ὁ βουλόμενος ἰκετηρίαν, [ὑπὲρ] ὧν ἂν βούληται || καὶ ἰδίῳ καὶ δημοσίῳ διαλέξεται πρὸς τὸν δῆμον. αἱ δὲ δύο περὶ τῶν ἄλλων εἰσὶν, ἐν αἷς κελεύουσιν οἱ νόμοι τρία μὲν ἱερῶν χρηματίζειν, τρία δὲ κήρυξιν καὶ πρεσβείαις, τρία δ' ὁσίων. χρηματίζουνσιν δ' ἐνίοτε 30

27 ΟΥΒΟΥΛΟ corr. K. ΩΝ K: περὶ ὧν Kontos, Lipsius, Gertz, K-W, sed spatium vix duarum litterarum capax vacuum relictum; ὑπὲρ (Υ) ὧν H-L (R). 28 ΔΙΑ-ΔΕΞΕΤΑΙ: διαλέξεται K (K-W, B); διαλέγεται H-L. 30 κήρυξι H-L. ΤΡΙΑ-ΔΟΣΙΩΝ suprascripto CYPAKOΣΙΩΝ 'corruptumne ex CAPA Δ ΟΣΙΩΝ ut Ar. τέτταρα δ' ὁσίων scripserit?' K-W. χρηματίζουνσι H-L.

petitions.' For θεὶς...ἰκετηρίαν cf. Dem. *de Cor.* 107, οὐχ ἰκετηρίαν ἔθηκε τριήραρχος οὐδὲς πῶποθ' ὥς ἀδικούμενος παρ' ὑμῶν, c. *Timocr.* 12, ἔθεσαν τὴν ἱ. ὧν ἦσαν τὰ χρήματα ἀνθρώποι, *ib.* 53; Aeschin. *F. L.* 15, ἱ. θέντες οἱ ἀκκαῖοι ἐδέοντο ὑμῶν. The ἰκετηρία (ράβδος) was an olive-branch bound with wool (Aesch. *Suppl.* 22, 192), which the 'suppliant,' or petitioner, held in his hand before depositing it on the altar in the place of public assembly. Such an application for the right of petition might also be laid before the βουλῇ, Aeschin. c. *Timarch.* 104. In Andoc. *De Myst.* 110—116, it is laid before the βουλῇ on the occasion of its session in the 'Ἐλευσίνιον, although presenting a petition in that place was forbidden, *ib.* 116. Such petitions might include applications for the recovery of civil rights, or for the remission of sentences; and, in general, for exemption from legal penalties. Cf. Dem. c. *Timocr.* 46, τῆς ἀέλας δοθείσης, and see Schömann, *Ant.* p. 397 E.T.; Gilbert, i 294; *Dict. Ant.* i 24 b, 702 a.

αἱ δὲ δύο κτλ.] Pollux, who gives in viii 96 a paraphrase of the present passage and its context, describes the hearing of heralds and embassies as the business of the third ἐκκλησία, while that of the fourth is περὶ ἱερῶν καὶ ὁσίων. This distinction is not in accordance with the text. The latter is confirmed by Aeschines i § 23, πῶς δὲ κελεύει τοὺς προέδρους χρηματίζειν;—προχειροτονεῖν—περὶ ἱερῶν τῶν πατρίων καὶ κήρυξι καὶ πρεσβείαις καὶ ὁσίων. The statement in Pollux may have originated in some confused and fragmentary reminiscence of the constitution in c. 30 § 5, where, in the order of business before the βουλῇ, the third place is assigned πρεσβείαις, after which they deliberate περὶ τῶν ἄλλων (=ὁσίων).

τρία] This implies that only three questions under each of the several headings were allowed to be discussed in each πρυτανεία. Similarly in § 5 only three συκοφαντῶν προβολαὶ could be brought

against Athenians, and three against resident aliens. These limitations have been hitherto unknown.

Hartel, *Studien über Urkundenwesen*, cites, as examples of business connected with ritual etc., being brought before the people ἐν ἱεροῖς, CIA ii 325, 352 b, 373 b, and (a decree of the Κήρυκες and Εὐμολπίδαι) 605. On p. 173 ff., he cites the following inscriptions: 'Αθήναιον vi 152 (=Ditt. no. 101, Hicks no. 111) l. 55 (B.C. 347/6 on the πρέσβεις from the sons of Leucon), χρηματίζειν τοὺς προέδρους οἱ ἀνὰ λαχῶσι προεδρεύον ἐν τῇ δῆμῳ τῇ δὲ δόξῃ ἐπὶ δέκα πρώτον μετὰ τὰ ἱερά. The privilege of access to the βουλῇ (and in most cases to the δῆμος) μετὰ τὰ ἱερά was granted to Aretus of Colophon (CIA i 36), to the Νεοπολίται (*ib.* 51 *Suppl.* p. 17), to the communities of Mytilene, Colophon and Cythnus (CIA ii 52 c, 164, 233), and to certain individuals named in i b, 34, 206, 209, 289, 316. Cf. Dem. 24 § 25 ff. ἱερῶν...ὁσίων] 'things sacred and profane.' ὁσια, when contrasted with ἱερά, includes all that is untouched by divine law. Thus, in things concrete, ἱερά would include temples and their treasures; ὁσια, civic buildings and money belonging to the state. Dem. 24 § 9, τῶν ἱερῶν μὲν χρημάτων τοὺς θεοὺς, τῶν ὁσίων δὲ τὴν πόλιν ἀποστερεῖ. The same terms are used to contrast religious and civil privileges, Dem. 23 § 65; 39 § 35; as well as the corresponding legal enactments, as in Lys. 30 § 25, τῶν ὁσίων καὶ τῶν ἱερῶν ἀντιγραφεῖς (see Frohberger's *Lysias*, iii p. 172, and Ruhnken, *Timaeus*, s.v. ὁσια—τὰ ἱωτικά, καὶ μὴ ἱερά).

κήρυξιν καὶ πρεσβείαις] The construction changes from gen. to dat., as in Aeschin. i § 23, where the order in which the four kinds of business are mentioned is the same as in the text. Foreign envoys were usually introduced to the ἐκκλησία by the βουλῇ (Aeschin. *F. L.* § 58). Dem. 24 § 150, καὶ κήρυκος καὶ πρεσβείας. Cf. c. 30 § 5.

χρηματίζουνσιν—ἀνευ προχειροτονίας]

καὶ ἄνευ προχειροτονίας. προσέρχονται δὲ καὶ οἱ κήρυκες καὶ οἱ πρέσβεις τοῖς πρυτάνεσιν πρῶτον, καὶ οἱ τὰς ἐπιστολὰς φέροντες
33 τούτοις ἀποδιδόασιν.

44. Ἔστι δ' ἐπιστάτης τῶν πρυτάνεων εἰς ὁ λαχὼν

33 πρυτάνει H-L, B.

33 ἀποδιδόασιν H-L.

TESTIMONIA. XLIV §§ 1, 2 *Harp. ἐπιστάτης... δύο εἰσὶν οἱ καθιστάμενοι ἐπιστάται, ὧν ὁ μὲν ἐκ πρυτάνεων κληρούμενος, ὁ δὲ ἐκ τῶν προέδρων, ὧν ἑκάτερος τῶν διοικῶν διοικεὶ δεδιώκεν Ἄρ. ἐν Ἀθ. πολ. Lex. Dem. Patm. p. 13 Sakkellion, ἐπιστάτης: οὗτος ἐκ τῶν πρυτάνεων ἐκληροῦτο καὶ ἐπεστάτα "νύκτα καὶ ἡμέραν" μόνον, καὶ οὐκ ἐξ ἑνὸς δευτέρου τὸν αὐτὸν γίνεσθαι. τὰς δὲ κλείς τῶν "λερῶν ἐν οἷς" ἀπέκειτο τὰ χρήματα καὶ τὰ γράμματα τῆς πόλεως... Suidas (e lexico Photiano) ἐπιστάτης: "τῶν πρυτάνεων εἰς ὁ λαχὼν" ἐπιστάτης ἐλέγετο. δις δὲ τὸν αὐτὸν ἐπιστατῆσαι οὐκ ἐξήν. φυλάσσει δὲ τοῦ ἱεροῦ τὰς κλείς ἐν ᾧ τὰ δημόσια χρήματα, ἐπὶ μὴν καὶ τὴν δημοσίαν σφραγίδα (φυλάσσει—σφραγίδα Etym. M. p. 304, 41). ἐπειδὴν δὲ οἱ πρυτάνεις "συναγάγουσι τὴν βουλὴν ἢ τὸν δῆμον," ὁ ἐπιστάτης "κληροῖ προέδρους ἐντέα," ἀπὸ "φυλῆς ἐκάστης" ἕνα "πλὴν τῆς πρυτανευούσης. καὶ πάλιν" ἐκ τῶν ἐντέα τούτων ἐπιστάτης ἕνα καὶ τὸ πρᾶγμα (sic) παραδίδουσιν. Telephus ap. Eustath. in Od. p. 455... γίνεται γὰρ φησὶν Ἀθήνησιν ἐκ τῶν πρυτάνεων εἰς ὅς "ἐπιστατεῖ νύκτα καὶ ἡμέραν" μίαν, καὶ πλείω χρόνον οὐκ ἔξιστον οὐδὲ "δις τὸν αὐτὸν γενέσθαι, τὰς τε κλείς <τῶν λερῶν> ἐν οἷς τὰ χρήματα εἰσι φυλάττει καὶ τὰ γράμματα τῆς πόλεως καὶ τὴν δημοσίαν σφραγίδα. κληροῖ δὲ καὶ προέδρους ἐξ ἐκάστης φυλῆς ἕνα "πλὴν τῆς πρυτανευούσης καὶ πάλιν ἐκ τούτων ἐπιστάτης ἕνα" (Frag. 397², 437²). Pollux viii 96: ἐπιστάτης δ' ἐστὶν εἰς τῶν πρυτάνεων, ὁ κληρῶ λαχὼν, δις δ' οὐκ ἔξιστι γενέσθαι τὸν αὐτὸν ἐπιστάτης. ἔχει δὲ οὗτος τῶν λερῶν τὰς κλείς ἐν οἷς τὰ χρήματα καὶ τὰ γράμματα. καὶ ὅταν οἱ πρυτάνεις τὸν δῆμον ἢ τὴν βουλὴν συναγάγῃ, οὗτος ἐξ ἐκάστης φυλῆς προέδρων ἕνα κληροῖ, μόνον τὴν πρυτανεύουσαν ἀφίει (Frag. 394², 434²).

'Sometimes the members of the ἐκκλησία take the initiative in bringing forward public business, without a preliminary vote (on the question whether it will discuss a proposal on the part of the βουλῇ, or accept it without discussion).' Cf. Harpocr. s.v. προχειροτονία: "...ἀπόταν τῆς βουλῆς προβουλευσάσης εἰσφέρειται εἰς τὸν δῆμον ἢ γνώμῃ πρότερον γίνεται χειροτονία ἐν τῇ ἐκκλησίᾳ πότερον δοκεῖ περὶ τῶν προβουλευθέντων σκέψασθαι τὸν δῆμον, ἢ ἀρκεῖ τὸ προβούλευμα. In Dem. 24 § 12 (after a προβούλευμα) γενομένης ἐκκλησίας προχειροτονήσεν ὁ δῆμος. Cf. Aeschin. i § 23, and see Gilbert, i 276 n. 3.

The course described in the text would involve a departure from the principle laid down by Solon, μηδὲν εἰς ἀπροβούλευτον εἰς ἐκκλησίαν εἰσφέρεισθαι (Plut. Sol. 19). This principle was also virtually set aside when the βουλῇ, without arriving at any conclusion on its own part, referred a question to the ἐκκλησία direct. Thus, on the memorable evening when the messenger arrived with news of Philip's capture of Elateia, the ἐκκλησία had already begun to assemble before the βουλῇ had had time to draw up a preliminary decree; and, the business being urgent, the πρυτάνεις brought it immediately before the assembly (Dem. de

Cor. 170). It was also open to any member of the ἐκκλησία to take the initiative by moving to refer any question to the βουλῇ with a view to a προβούλευμα being drawn up by the latter (Gilbert, i 278 n. 3).

προσέρχονται—τοῖς πρυτάνεσιν πρῶτον] Aeschin. F. L. 58, (the βουλῇ) ταῖς ξενικαῖς πρεσβείαις τὰς εἰς τὸν δῆμον προσόδους προβουλεύει. On the capture of Elateia, the messenger brought the news ὡς τοῖς πρυτάνεσι (de Cor. 169). Cf. Arist. Thest. 654, ταῦτα τοῖς πρυτάνεσιν ἀγγέλλω.

XLIV. The Public Assembly, continued.

§ 1. ἐπιστάτης τῶν πρυτάνεων] In the fifth century the ἐπιστάτης τῶν πρυτάνεων actually presided at the meetings of the βουλῇ and ἐκκλησία, and took the sense of the meeting. Thus, in 415 B.C., we find Nicias addressing the President at the Assembly in the words καὶ σὺ, ὦ πρότανι, ταῦτα...ἐπιψήφισε (Thuc. vi 14). Again, in 406, on the memorable occasion when Socrates refused to put the illegal proposal that the generals concerned with the battle of Arginusae should have judgment passed upon them collectively, his own tribe was the φυλὴ πρυτανεύουσα (Plat. Apol. 32 B), and he

οὗτος δ' ἐπιστατεῖ νύκτα καὶ ἡμέραν, καὶ οὐκ ἔστιν οὔτε πλείον χρόνου οὔτε δις τὸν αὐτὸν γενέσθαι. τηρεῖ δ' οὗτος τὰς τε κλείς τὰς τῶν ἱερῶν ἐν οἷς τὰ χρήματ' ἔστιν καὶ <τὰ> γράμματα τῇ πόλει, καὶ τὴν δημοσίαν σφραγίδα, καὶ μένειν ἀναγκαῖον ἐν τῇ θόλῃ τοῦτον <τ'> ἔστιν καὶ τριττὺν τῶν πρυτάνεων ἣν ἂν οὗτος 2 κελεύῃ. καὶ ἐπειδὰν συναγάγῃσιν οἱ πρυτάνεις τὴν βουλὴν ἢ τὸν δῆμον, οὗτος κληροῖ προέδρους ἑνέα, ἕνα ἐκ τῆς φυλῆς ἐκάστης

ΣΙΥ 2 οὐκ ἔστι πλείον H-L.

§ ΚΛΕΙC (K-W, K², B; cf. Meisterhans, p. 28²):

κλῆς K¹, H-L.

§ γράμματα K: <τὰ> γράμματα e gramm. K-W, H-L, B.

6 τοῦτον <τ'> K-W.

§§ 2, 3 * Harp. πρόεδροι ἐκκληροῦντο τῶν πρυτάνεων καθ' ἐκάστην πρυτανεὶαν εἰς ἐξ ἐκάστης φυλῆς πλὴν τῆς πρυτανευούσης, οἷσιν τὰ περὶ τὰς ἐκκλησίας διψοῦν.... ὅτι δ' ὁ καλούμενος ἐπιστάτης κληροῖ αὐτοῦς, εἰρηκεν Ἀρ. ἐν Ἀθ. πολ. (=Suid. s.v.). Photius (Bekk. An. 290) πρόεδροι: οἱ τὰ περὶ τὰς ἐκκλησίας Ἀθήνησι διοικοῦντες <καὶ τῆς εὐταξίας ἐπιμελοῦμενοι add. Lex. Dem. Patm. p. 12>, εἰς ἐκκληροῦτο ὑπὸ τῶν πρυτάνεων καθ' ἐκάστην ἐκκλησίαν ἐξ ἐκάστης φυλῆς.

was ἐπιστάτης for the day (Xen. Mem. i 1, 18, ἐπιστάτης ἐν τῷ δήμῳ γενόμενος). Cf. Gilbert, i 257 n. 3.

In the fourth century, on the institution of πρόεδροι with an ἐπιστάτης of their own, the duty of presiding in public was transferred to the ἐπ. τῶν προέδρων (Gilbert, *ib.* n. 5), while the ἐπ. τῶν πρυτάνεων discharged the duties stated in the text. As the latter remained in the θόλος for the day and night during which he was in office, he was necessarily precluded from presiding over the ἐκκλησία or the βουλὴ. On the institution of the πρόεδροι, see § 2.

τὰς τε κλείς κτλ.] The keys of the public treasure kept in the ὀπισθόδομος on the Acropolis (Boeckh, III xx). The custody of the keys did not involve any responsibility for the actual management of the fund. The Arg. to Dem. *Androt.* p. 590 applies to the ἐπιστάτης language of less precision than that in the text: αὐτὸς τὰς κλείς τῆς ἀκροπόλεως ἐπιστεύετο καὶ πάντα τὰ χρήματα τῆς πόλεως. It adds: ὃν οὖν μὴ ἐραστοῦ τυραννίδος, διὰ τοῦτο μὴν ἡμέραν ποιοῦν αὐτὸν ἀρεῖαι.

τῶν ἱερῶν does not necessarily imply that the public treasure was kept in more than one temple. Hence the pl. throws no light on the obscure question whether the ὀπισθόδομος of the 'old temple' of Athens between the Erechtheum and Parthenon was at this time still in use, as well as the Parthenon (see Miss Harrison's *Mythology &c of Athens*, p. 505—8). The 'old temple' was burnt in 406 B.C. (Xen. *Hell.* i 6), and the burning of the ὀπισθόδομος mentioned in Dem. 24

§ 136 may refer to the same event. In B.C. 353 the priestess transferred to the ἐπιστάται (probably the ἐπ. δημοσίων ἔργων) in the archonship of Thudemus certain 'gold ornaments' which were removed from the 'old temple' to the Parthenon (CIA ii 758 II 7). The public records (γράμματα) were preserved in the Μητροφών near the βουλευτήριον (Aeschin. 3 § 187; Paus. i 3, 5; Lycurg. *Leocr.* 66). Cf. Curtius, *das Metron*, Gotha, 1868.

δημοσίαν σφραγίδα] [Xen.] *de Vect.* 4, 21, ἀνδράποδα σεσημασμένα τῷ δημοσίῳ σημάντρῳ. The seal probably represented an owl or a Gorgon's head. Cf. Curtius, *Abh. d. Berlin Akad.* 1874, p. 88 (Gilbert, i p. 256 n. 2). Both the badges above mentioned may be seen on the extant examples of δικαστῶν πινακία (c. 63 § 4).

§ 2. πρόεδρους] In the fifth century it was the πρυτάνεις who presided over the βουλὴ καὶ ἐκκλησία in the person of one of their own body who was the ἐπιστάτης τῶν πρυτάνεων and was necessarily a member of the πρυτανεύουσα φυλὴ. Thus, in CIA ii i δ, we have two decrees of the year of Euclides, B.C. 403—2. (1) was passed in the prytany of the tribe Pandionis, and the ἐπιστάτης was of the deme of Ὡα, which belonged to that tribe; (2) in the prytany of the tribe Erechtheis, and the ἐπιστάτης was of the deme of Κηδαί belonging to that tribe. As a general rule the deme of the ἐπ. τῶν πρυτάνεων is not specified; it necessarily belongs to the presiding tribe.

In the fourth century the πρόεδροι came into existence. The ἐπιστάτης τῶν πρυτάνεων was deprived of his preeminence

πλὴν τῆς πρυτανευούσης, καὶ πάλιν ἐκ τούτων ἐπιστάτην ἓνα, καὶ
10 παραδίδωσι τὸ πρόγραμμα αὐτοῖς· οἱ δὲ παραλαβόντες τῆς τ' 3

10 πρόγραμμα corrupte mutatum in πῶγμα habet Suidas s. v. ἐπιστάτης. ol
K-W, B; ol K, H-L.

and obtained in its place the privilege of appointing by lot nine πρόεδροι, one from each of the tribes except his own, and of drawing lots among those nine for one of them to act as the ἐπιστάτης τῶν προέδρων. Under this system, the ἐπ. τῶν προέδρων was necessarily a member of some other than the πρυτανεύουσα φυλή. In CIA ii 17 b (Ditt. no. 64), in the archonship of Nausinicus, B.C. 378/7, though the πρόεδροι are mentioned, the deme of the ἐπιστάτης is uncertain; but in CIA ii 17 (Ditt. no. 63), in the same year, in the prytany of the tribe Hippothontis, the ἐπιστάτης is of the deme Ἀθμόνων which belongs to a different tribe, Cécropis. In ii 50 (Ditt. 75), B.C. 368/7, in the prytany of the tribe Aeantis, the ἐπιστάτης belongs to a deme of the tribe Aegeis. In ii 116 (Ditt. 107), B.C. 341/0, in the prytany of the tribe Pandionis, the ἐπιστάτης belongs to another tribe. Between the years 378 and 320 we have in all 24 decrees giving the name of the prytany and the president, and in no case does the deme of the president belong to the φυλή πρυτανεύουσα. For the years between Euclides and Nausinicus (403—378) there is at present no evidence; but it is probable that the change came into force in the latter year, a date of special importance in the financial history of Athens. The aim of the change was clearly to give all the tribes a concurrent share in the superintendence of the βουλή and ἐκκλησία, instead of each tribe having in turn the sole superintendence for the duration of its own prytany. (See esp. Prof. W. W. Goodwin's paper in *Trans. of the American Philol. Association*, 1885, vol. xvi 165—175.)

In the fifth century the formula for describing the president was ὁ δὲνα ἐπιστάτης. From 378 to 347 the same formula is used to denote the ἐπιστάτης τῶν προέδρων, side by side with a new formula, τῶν προέδρων ἐπεψήφισεν ὁ δὲνα. From 347 onwards the last alone is found (Gilbert, i 257 n. 5).

It was once supposed that the 50 πρυτάνεις were divided into five groups of ten πρόεδροι holding office for one-fifth of a prytany (generally for seven days) and appointing one of their number to serve as ἐπιστάτης for each day. This supposition rested on the Scholia to Aeschin.

c. Ctes. 39 and Dem. p. 594, 5, and on the 2nd Arg. to Dem. *Androt.* p. 590. It was accepted in an early work of Schömann (*De Comitibus Ath.*, 1819), where, in the endeavour to reconcile the conflict of evidence, it was suggested that there were two sets of πρόεδροι in existence at the same time, (1) the *proedri contribules*, belonging to the same tribe as the πρυτάνεις, and forming a subdivision of that body; and (2) the *proedri non-contribules*, belonging to a different tribe to that of the πρυτάνεις.

Nearly three centuries earlier it was held by Sigonius (1529—1584) in his *De Atheniensium Republica*, that wherever the πρόεδροι are mentioned, they were the nine who were not of the same tribe. This opinion was accepted by K. F. Hermann (1843), who noticed further that the πρόεδροι are never mentioned until after the time when one of the πρυτάνεις used to preside in the Assembly. Hence the πρόεδροι (*non-contribules*) were a later institution, and the *proedri contribules* were a merely imaginary body. Schömann's earlier view survived in Grote, c. 31, iii 118, but it had meanwhile been abandoned by Schömann himself, in favour of Hermann's view which is conclusively confirmed by the text. See Schömann, *Ant.* p. 377 E.T.

Some confusion has arisen from the fact that Harpocration, s. v. πρόεδροι, implies that the πρόεδροι held office during the whole of each prytany, whereas the text, which he professes to follow, really describes them as appointed by lot for each meeting of the βουλή or ἐκκλησία. The most accurate citation of the text is that preserved by Telephus ap. Eustath. on *Od.* 17, 455, and by Suidas, s. v. ἐπιστάτης, art. 2. On the general question see Goodwin l. c., and Gilbert i 257 (with the authorities there quoted); also Caillemer on *Boule* in Daremberg and Saglio, i 740—1, and Chavannes on *Epistates*, ib. iii 700; and Wayte in Smith's *Dict. Ant.* i 320—1, and on Dem. *Timocr.* § 21.

ἐπιστάτην] sc. τῶν προέδρων. He is mentioned as presiding (1) at the βουλή in Aeschin. c. *Timarch.* 104, βουλευτὴς αὐτὸς καὶ προεδρεύων, and in CIA ii 168 (B.C. 333) τῶν προέδρων ἐπεψήφισεν, and similarly in ii 179 (B.C. 325) about the time

εὐκοσμίας ἐπιμελοῦνται, καὶ ὑπὲρ ὧν δεῖ χρηματίζειν προτιθέασιν, καὶ τὰς χειροτονίας κρίνουσιν, καὶ τὰ <τ'> ἄλλα πάντα διοικοῦσιν, καὶ τοῦ [τ'] ἀφεῖναι κύριοι εἰσιν. καὶ ἐπιστατῆσαι μὲν οὐκ ἔξεστιν πλέον ἢ ἅπαξ ἐν τῷ ἐνιαυτῷ, προεδρεύειν δ' ἔξεστιν ἅπαξ ἐπὶ τῆς πρυτανείας ἐκάστης.

4 ποιούσι δὲ καὶ ἀρχαιρείας στρατηγῶν καὶ ἱππάρχων καὶ τῶν ἄλλων τῶν πρὸς τὸν πόλεμον ἀρχῶν ἐν τῇ ἐκκλησίᾳ, καθ' ὃ τι ἂν τῷ δήμῳ δοκῇ· ποιούσι δ' οἱ μετὰ τὴν ἕκτην πρυτανεύοντες ἐφ' ὧν

.ΔΕΙΚ(ΔΙ).

11 ΔΕΙΧΡΗΜΑΤΙΖΕΙΝ: δεῖ χρηματίζειν K, H-L, B: χρηματίζειν δεῖ K-W. 12 τὰ <τ'> K-W. 13 τ' delent Richards, Blass, K-W, B; in δ' mutat Hude; τὴν ἐκκλησίαν Rutherford (H-L). 14 ἔξεστι H-L. ΠΛΕΙΟΝ (K-W, B): πλέον H-L, K², Meisterhans, p. 120². 15 ΔΕΚ(ΔΙ)ΔΕΚΑΡΧ: delevi ΔΕΚ e ΔΕΚ(ΔΙ) male iterato exortum, idem fecerunt Blass, Fränkel, K-W, H-L, K²; etiam in versu propinquo (18) dittographiae vitium denuo apparet ΜΕΤΑΤΑΤΗΝ (μετὰ τὴν).

when this treatise was written; (2) at the ἐκκλησία, *id. c. Ctes.* 39, τὸν δ' ἐπιστάτην τῶν προέδρων διαχειροτονίαν δίδουσι τῷ δήμῳ, *F. L.* 82, (Demosthenes) λαγχάνει προεδρεύειν and (84) ἀναστὰς ἐκ τῶν προέδρων οὐκ ἐφη τὸ ψήφισμα ἐπιψηφιεῖν, *cf. ib.* 68. τὸ πρόγραμμα] 43 § 3, προγράφουσι.

§ 3. εὐκοσμίας ἐπιμελοῦνται.] In the previous century the same duties had been performed by the πρυτάνεις with the aid of the τοξόται: *Arist. Thesm.* 923, 929—946, and esp. 854, εἰ μὴ κοσμίως ἔξεις ἕως ἂν τῶν πρυτάνεων τις φανῇ. The πρόεδροι as well as the πρυτάνεις are named in *Aeschin. c. Ctes.* 4, τῆς τῶν ῥητόρων ἀκοσμάας οὐκέτι κρατεῖν δύναται οὐθ' οἱ νόμοι οὐθ' οἱ πρυτάνεις οὐθ' οἱ πρόεδροι οὐθ' ἡ προεδρεύουσα φυλὴ.

The phrase ἐπιμελεῖσθαι εὐκοσμίας is found in *Pol.* 1299 b 16 and 19 (*cf.* 1321 b 14 and 20); also in *Isocr. Areop.* 37.

προτιθέασιν] 48 § 2; *Xen. Mem.* iv 2, 3, τῆς πόλεως λόγον προτιθείσης. In *Aeschin. F. L.* 65 we have the exceptional proposal that, at the first of two ἐκκλησίαι, there should be a debate; and that, at the second, the πρόεδροι should put the question to the vote, λόγον δὲ μὴ προτιθέναι. In the fifth century this was the duty of the πρυτάνεις. *Thuc.* vi 14, ὡς πρότανι...γνώμας προτιθεὶ αὐθις, iii 36, 4; 42, 1.

χειροτονίας] *Aeschin. c. Ctes.* 3, ἂν δέ τις τῶν ἄλλων βουλευτῶν ὅπως λαχῇ κληρούμενος προεδρεύειν καὶ τὰς ὑμετέρας χειροτονίας ῥῶτως ἀναγορεύῃ κτλ. ἀφείναι.] *Arist. Ach.* 173, οἱ γὰρ πρυτάνεις λούουσιν τὴν ἐκκλησίαν. *Dem. Timocr.* § 26 (during the Κρόνια), ἀφεμένης τῆς βουλῆς.

ἐπιστατῆσαι] *sc.* τῶν προέδρων. In

Dittenberger, *Inscr.* nos. 98 and 101, we have two decrees in the same prytany of B.C. 347—6, in both of which Θεόφιλος Ἀλμυοῦσιος ἐπιστάται. It was rightly inferred by A. Schaefer that both were passed at the same meeting of the ἐκκλησία. The text shews that no one could be ἐπιστάτης τῶν προέδρων more than once in each year.

§ 4. στρατηγῶν] 61 § 1. ἱππάρχων, 61 § 4. τῶν ἄλλων, 61 §§ 3, 5. *Cf.* *Aeschin. c. Ctes.* 13, (ἀρχάς) ὥς ὁ δῆμος εἰωθε χειροτονεῖν ἐν ἀρχαιρείαις, στρατηγῶν καὶ ἱππάρχων καὶ τὰς μετὰ τούτων ἀρχάς, also *Xen. Mem.* iii 4, 1; *Dem.* 23 § 171; *Plut. Phoc.* 8.

οἱ μετὰ τὴν ἕκτην πρυτανεύοντες] The author of the 2nd Arg. to *Dem. Androt.* p. 590 erroneously states that the ἀρχαιρείαι fell on the last four days of the Attic lunar year of 354 days. But, as observed by Schömann, *Ant.* 390 E.T., they could not possibly have been held so late in the year: they must necessarily have taken place much earlier, so as to allow time for the δοκιμασία. It has been inferred by Köhler (*Monatsb. d. Akad. d. W.*, Berlin, 1866, p. 343), that they were held in the first ἐκκλησία of the ninth prytany. This inference is drawn from an inscription of the time of the 12 tribes (after B.C. 307), CIA ii 416, in which the ἀρχαιρείαι are fixed κατὰ τὴν μαρτυρίαν for the 22nd day of Munichion (early in May), corresponding (in the time of the 10 tribes) to the beginning of the ninth prytany (see also Gilbert's *Beiträge*, pp. 5—13, and Busolt in Müller's *Handbuch*, iv i 152). The text shews that the election was held in the seventh prytany. This would begin

ἀν εὐσημία γένηται. δεῖ δὲ προβούλευμα γενέσθαι καὶ περὶ
 20 τούτων.

45. ἡ δὲ βουλὴ πρότερον μὲν ἦν κυρία καὶ χρήμασιν ζημιώσαι
 καὶ δῆσαι καὶ ἀποκτείνειν. — καὶ Λυσίμαχον αὐτῆς ἀγαγούσης

19 ΓΕΝΕΣΘΑΙ K, H-L, B: γίνεσθαι K-W.

XLV 1 χρήμασι H-L.

2 post ἀποκτείνειν lacunam indicant K-W.

three days before the end of Gamelion (the first six prytanies containing 214 and the first seven months 217 days), and would mainly correspond to the month Anthesterion (middle of February to middle of March).

This statement has a direct bearing on the story of Sophocles being appointed στρατηγός against Samos &c owing to the success of his *Antigone* (on the authorities for the story, see Jebb's *Introd.* p. xliii). If the play was produced at the Great Dionysia (10—15 Elaphebolion = March—April), i.e. late in March, B.C. 441, the ordinary election of στρατηγοί for the ensuing official year had already taken place a month before. We must therefore either infer that the story is false; or that the date of the election was exceptionally delayed in that year owing to inauspicious weather; or that, at that time, the ἀρχαυρεσίαι fell later than was the case in B.C. 325. If the election of Sophocles took place a month before the Great Dionysia, and was prompted by the success of the *Antigone*, the play must have been performed at the Great Dionysia of the previous year, in which case eleven months must have elapsed before the election. But by that time the impression produced by the play would have become appreciably weaker, and the story would have lost its point. On the bearing of the date of election on the 'deposition of Pericles,' see Mr Marchant in *Class. Rev.* v 165.

εὐσημία] 'on whatsoever days there are signs of fair weather.' εὐσημία is found in Hippocr. 1170; εὐσημιος in *Meleor.* p. 363 a 27, γέγραπται τοῦ μάλ-
 λον εὐσημίου ἔχειν ὁ τοῦ δρίζοντος κύκλος.

The proviso is one of practical importance in the case of a large meeting on an open hill-side like that of the Pnyx. Even when the ordinary ἐκκλησία came to be held in the theatre of Dionysus (e.g. in 290 B.C.), the Pnyx continued to be the scene of the ἀρχαυρεσίαι (Pollux viii 133).

When the δῆμος was desiring to elect Cleon as στρατηγός, there was thunder and lightning, an eclipse of the moon and

afterwards one of the sun, Arist. *Nub.* 581—6 (and Schol.). Presumably amid all these portents the election was deferred. In Thuc. v 45 *ult.* an ἐκκλησία is adjourned because of an earthquake. Even a drop of rain was sufficient to be regarded as a 'sign from heaven,' διοσημία 'ὅτι καὶ βάνις βέβληκέ με (*Ach.* 171). Cf. Suidas, s.v.

προβούλευμα κτλ.] In accordance with the general principle ordained by Solon, Plut. *Sol.* 19, μηδὲν ἔαν ἀπροβούλευτ' εἰς ἐκκλησίαν εἰσφέρεσθαι.

XLV—XLIX. The functions of the Council.

XLV § 1. κυρία—[ζημιώσαι] The βουλὴ was not competent to inflict a higher fine than 500 *dr.*, Dem. c. *Euerg.* p. 1152 § 43, (after an εἰσαγγελία) ἐν τῷ διαχειροτονεῖν ἢ ἡ βουλὴ πρότερα δικαστηρίῳ παραδοῆναι ἢ ζημιώσκειν ταῖς πεντακοσίαις, ὅσους ἦν κυρία κατὰ τὸν νόμον. In a decree drawn up about 446 B.C. any encroachment on the Πελαργικὸν is punished by a fine of 500 *dr.*, to be inflicted after an εἰσαγγελία has been brought before the βουλὴ by the archon βασιλεύς (Ditt. no. 13, 59).

δῆσαι] Arist. *Thesm.* 943, ἔδοξε τῇ βουλῇ σε δεῖν. A limitation to this right is mentioned in the oath taken by the Council in Dem. c. *Timocr.* 144, οὐδὲ δῆσω Ἀθηναίων οὐδένα, οἱ ἂν ἐγγυητὰς τρεῖς καθιστῇ τὸ αὐτὸ τέλος τελοῦντας· πλὴν ἔαν τις ἐπὶ προδοσίᾳ τῆς πόλεως ἢ ἐπὶ καταλύσει τοῦ δήμου συνίῃν ἄλλῳ ἢ τέλος τι πριάμενος ἢ ἐγγυησάμενος ἢ ἐκλέγων μὴ καταβάλλῃ. It is there stated that this oath was in the interest of untried persons to give them every opportunity for preparing for their defence. In § 148 we are told that 'Solon' made the Council ἀκυρον τοῦ δῆσαι, i.e. did not grant them an absolute right of imprisonment, but a limited right subject to proper bail being found. In certain cases, however, bail was not allowed, and in these the Council's right was not barred. See also 22 § 2 and 48 § 1.

Cleophon was imprisoned by the Council and then handed over to the dicastery (Lys. 30 § 10); he was condemned to death by a court consisting of

ὡς τὸν δῆμιον *καὶ αὐθημερὸν* ἤδη μέλλοντα ἀποθνήσκειν Εὐμη-
λίδης ὁ Ἀλωπεκῆθεν ἀφείλετο, οὐ φάσκων δεῖν ἄνευ δικαστηρίου
γνώσεως οὐδένα τῶν πολιτῶν ἀποθνήσκειν καὶ κρίσεως ἐν δικα-
στηρίῳ γενομένης ὁ μὲν Λυσίμαχος ἀπέφυγεν καὶ ἐπωνυμίαν ἔσχεν
ὁ ἀπὸ τοῦ τυπάνου, ὁ δὲ δῆμος ἀφείλετο τῆς βουλῆς τὸ θανατοῦν
καὶ δεῖν καὶ χρήμασι ζημοῦν, καὶ νόμον ἔθετο, ἂν τινος ἀδικεῖν
ἢ βουλή καταγνῶ ἢ ζημιώσῃ, τὰς καταγνώσεις καὶ τὰς ἐπιζημιώ-
σεις εἰσάγειν τοὺς θεσμοθέτας εἰς τὸ δικαστήριον, καὶ ὅ τι ἂν οἱ 10
δικασταὶ ψηφίσωνται, τοῦτο κύριον εἶναι.

Col. 24.] 2 κρίνει δὲ || τὰς ἀρχὰς ἢ βουλή τὰς πλείστας, μάλισθ' ὅσαι
χρήματα διαχειρίζουσιν· οὐ κυρία δ' ἢ κρίσις, ἀλλ' ἐφέσιμος εἰς

3 καθήμενον ἤδη μέλλοντα ἀποθν. K, K-W, H-L; καθήμενον ἤδη <καὶ> μέλλοντα ἀποθν.
J B Mayor: legendum fortasse καὶ αὐθημερὸν ἤδη μέλλοντα ἀποθν. cf. Aeschin. 1 § 16
(lex) παραδοθεὶς τοῖς ἑνδεκα τεθνάτω αὐθημερὸν. 3, 5 ΑΠΟΘΝΗΣΚΕΙΝ: ἀποθνήσκειν
K-W, H-L, K², B, cf. Meisterhans, p. 141², p. 1234. 3 ΕΥΜΗΛΕΙΔΗΣ (B coll.
Φιλομηλείδης Od. ρ 134): Εὐμηλίδης K-W, H-L, K². 4 ΑΛΩΠΕΘΗΚΕΝ corr. K.
5 <τῷ> δικαστηρίῳ K-W, idem in c. 46, 10 et c. 55, 7 τῷ non insertunt. 6 ἀπέ-
φυγεν H-L. 6CΥΧΕΝ: ἔσχε B, εἶχεν K. 8 εἰν H-L. 9 ἐπιζημιώσεις
(nusquam alibi inventum) K, K-W, B: ζημιώσεις Wyse, H-L. 13 ΕCΤΦΕCΙΜOC?;
ἐφέσιμος K, K-W, B; ἐτ' ἐφέσιμος H-L.

the Council and a dicastery, *ib.* 11, and
13 § 12 (Newman).

Λυσίμαχος] possibly the person of that
name mentioned in Xen. *Hell.* ii 4, 8,
(the Thirty) Λυσίμαχος τὸν ἐπαρχον ἐκέ-
λευον ἀναγαγόντα παραδοῦναι αὐτοὺς τοῖς
ἑνδεκα. On the restoration of the democ-
racy his services to the Thirty may well
have been remembered against him.

καὶ αὐθημερὸν—ἀποθνήσκειν] *Hist.*
An. 603 a 15, ἀποθνήσκουσιν αὐθημερὸν,
398 a 35, 568 b 21.

One Sosias had a similarly narrow
escape: Antiphon 5 § 70, ὁ ἀνὴρ ἀπῆχθη
(MSS, ἀπῆχθη Dobree, ἀπελῶθη Kayser,
ἀπηλλάχθη Baiter; ἀφείλετο, in the text,
suggests ἀφῆρέθη) ὑπὸ τοῦ δήμου τοῦ
ὕμετέρου παραδεδωμένος ἤδη τοῖς ἑνδεκα.

Εὐμηλίδης] The only passage where
the name is found, as that of an Athenian,
is [Dem.] 49 § 11, τῷ παιδί τοῦ Εὐμηλίδου.
The date of the speech is B.C. 362.

ἀφείλετο] here 'rescued him.' It is
used below in another sense: 'deprived
of the power of.'

ὁ ἀπὸ τοῦ τυπάνου] 'the man who
escaped the bastinado.' Schol. Arist.
Plut. 476, τύμπανα...ξόλα, δι' ὧν τοὺς
καταδικούς ἐτυπτον, and Photius, s. v.
τύμπανον. Cf. Lys. 13 § 56, ὡς ἀνδρο-
φόνος δῖτα—τῷ δημῷ παρέδοτε καὶ ἀπε-
τυμπανίσθη, *ib.* 67, 68; and Dem. 9 § 61.
This form of punishment was inflicted on

κακούργοι, including ἀνδροφόνος. This
confirms the conjecture that Lysimachus
was arraigned for taking part in causing
citizens to be put to death under the
Thirty (Xen. *l. c.*). The restriction in
the powers of the βουλή mentioned in this
chapter has already been noticed in more
general terms in c. 41, αὶ τῆς βουλῆς κρίσεις
εἰς τὸν δῆμον ἐληλύθασιν, a passage referring
to the time subsequent to the archonship
of Euclides. Even before that time the
βουλή did not necessarily enforce its right
of inflicting penalties, but sometimes ex-
ercised the option of referring the case to
a law-court, cf. CIA i 59, (τῇ βουλῇ)
κολάζειν τῶν δωροδοκούντων καταψηφι-
ζομένην, καὶ εἰς δικαστήριον αὐτοὺς εἰσάγειν,
καθότι ἂν δοκῇ αὐτῇ.

ἐπιζημιώσεις] not found elsewhere. τὰ
ἐπιζήμια is used of 'penalties' in Dem.
and Plato; ἐπιζημιῶν, in Xen. *Hell.*
v 2 § 22; ἐπιζημιώμα, in Pollux viii 149.
θεσμοθέτας] 59.

§ 2. κρίνει τὰς ἀρχὰς] Antiphon, 6
§ 49, πυθόμενος αὐτοὺς (the πορισταί,
πωληταί, πρακτοῖρες and ὑπογραμματεῖς)
δεῖν καὶ σχέτλια ἐργάζεσθαι, εἰσάγειν εἰς
τὴν βουλήν.

ἐφέσιμος] [Dem.] 7 § 9, ταῦτα δὲ κύρια
ἔσεσθαι οὐκ ἐπειδὴ ἐν τῷ δικαστηρίῳ τῷ
παρ' ὧν κυρωθῇ...ἀλλ' ἐπειδὴ ὡς ἐαυτὸν
ἐπανεσχθῇ, ἐφέσιμον τὴν παρ' ὧν γενο-
μένην γνῶσιν ὡς ἐαυτὸν ποιούμενος. Lucian,

τὸ δικαστήριον. ἔξεστι δὲ καὶ τοῖς ιδιώταις εἰσαγγέλλειν ἢν ἂν
15 βούλωνται τῶν ἀρχῶν μὴ χρῆσθαι τοῖς νόμοις. ἔφεσις δὲ καὶ
τούτοις ἐστὶν εἰς τὸ δικαστήριον, ἐὰν αὐτῶν ἡ βουλή καταγνῶ.

δοκιμάζει δὲ καὶ τοὺς βουλευτὰς τοὺς τὸν ὕστερον ἐνιαυτὸν 3
βουλευσοντας καὶ τοὺς ἐννέα ἄρχοντας. καὶ πρότερον μὲν ἦν
ἀποδοκιμάσαι κυρία, νῦν δὲ <καὶ> τούτοις ἔφεσις ἐστὶν εἰς τὸ
20 δικαστήριον.

τούτων μὲν οὖν ἄκυρός ἐστιν ἡ βουλή. προβουλεύει δ' εἰς τὸν 4
δῆμον, καὶ οὐκ ἔξεστιν οὐδὲν ἀπροβουλευτον οὐδ' ὃ τι ἂν μὴ
προγράψωσιν οἱ πρυτάνεις ψηφίσασθαι τῷ δήμῳ· κατ' αὐτὰ γὰρ
ταῦτα ἔνοχός ἐστιν ὁ νίκησας γραφῇ παρανόμων.

46. ἐπιμελεῖται δὲ καὶ τῶν πεποιημένων τριήρων καὶ τῶν
σκευῶν καὶ τῶν νεωσοίκων, καὶ ποιεῖται καινὰς [[δὲ]] τριήρεις ἡ

19 <καὶ> τούτοις K-W, B.

23 κατὰ γὰρ ταῦτα Kontos, H-L; v. Dem. 20 § 96.

XLVI 2 δὲ secl. K (edd.).

πρὸ *Imaginibus* 15, ἐφέσιμον ... δικη.
Pollux viii 125, (κρίσις) ἐφέσιμον.

εἰσαγγέλλειν] probably here used in
the general sense of bringing to the know-
ledge of the Council, without reference to
the special process called εἰσαγγελία.
The procedure in the latter case is de-
scribed by Dr Hager in *Dict. Ant. s. v.*,
i 709 a.

§ 3. δοκιμάζει—βουλευτὰς] Dem. *Mid.*
111, βουλευέμεν μου λαχόντος δοκιμαζομένου
κατηγόρει, *Naser.* 3, λαγχάνει βουλευέμεν
Ἀπολλόδωρος· δοκιμασθεὶς δὲ καὶ ὁμῶς
τὸν νόμον ὄρον κτλ. Two of the
speeches of Lysias are concerned with
the δοκιμασία of a βουλευτής: *Or.* 31,
κατὰ Φίλωνος, is a speech for the prose-
cution; *Or.* 16, ὑπὲρ Μαντιθέου, for the
defence. § 9 of the latter speech shews
the wide scope of the scrutiny in such
cases: ἐν δὲ ταῖς δοκιμασίαις δίκαιον εἶναι
παντὸς τοῦ βίου λόγον διδόναι.

ἄρχοντας] Lys. *Or.* 26, κατ' Εὐάνδρου,
is a speech in accusation of one who was
appointed by lot to be First Archon in
reserve. The case was heard on the last
day but one of the preceding official year
(midsummer, B.C. 382). The next day
was a public holiday, and, in the event
of his rejection, an appeal was im-
possible: § 6, δικαστήριον...οὐ δυνατόν
πληρωθῆναι. Dem. *Lept.* 90 asserts that
the junior archons underwent a double
δοκιμασία:—τούς θεσμοθέτας δις δοκιμα-
σθέντας ἄρχειν ἐν τε τῇ βουλῇ καὶ παρ' ἑμὶν
ἐν τῷ δικαστηρίῳ. The δοκιμασία before
the βουλή is called an ἀνάκρισις in Dem.
Eubul. 66; it is described as affecting all

the archons (*ib.* 70). Cf. c. 55 § 2.

§ 4. οὐδὲν ἀπροβουλευτον] Plut. *Sol.*
19, quoted on c. 44 *ult.*

προγράψωσιν] 43 § 3 *ult.*

γραφῇ παρανόμων] Here the illegality
turns on a point of form. Among cases
in point are the motion of Androtion to
award a crown to the outgoing βουλή
(Dem. *Androt.* 5); and that of Thrasy-
bulus to grant Lysias the citizenship of
Athens (note on 40 § 2).

XLVI § 1. τῶν τριήρων] Gilbert,
i 261 n. 4.

τῶν σκευῶν] esp. of 'naval stores and
engines,' and 'the tackling of ships.'
[Dem.] 47, c. *Euerg.* § 19, σκεύη τριηρικὰ.
Xen. *Oec.* viii 12, διὰ πολλῶν...ἐξυλίων
σκευῶν ('oars,' 'rudders,' 'masts,'
'yards') καὶ πλεκτῶν ('cables') ὁρμίζεται
ναῦς καὶ ἀνάγεται, διὰ πολλῶν δὲ τῶν
κρεμαστῶν ('sails' and 'rigging') καλου-
μένων πλεῖ. The specifications of the
famous σκευοθήκη in the Peiraeus, designed
by the architect Philon under the ad-
ministration of Lycurgus, are still extant
(CIA ii 1054 = Ditt. no. 352). This
σκευοθήκη was intended τοῖς κρεμαστοῖς
σκεύεσιν, and (though not finished) was
probably already in use in B.C. 329, a
few years before the text was written.
Cf. Dürnbach, *Lycurgus*, pp. 64—73.

τῶν νεωσοίκων] Strictly speaking the
νεώσαιοι are the sheds in which the
ships are laid up, and νεώρια the dock-
yards; but the terms are sometimes inter-
changed (cf. *Dict. Ant.* ii 206 a, and
Dürnbach, *l.c.* p. 65, n. 3). In [Xen.]
de Rep. Ath. iii 2, among the duties of

τετρήρεις, ὅποτέρας ἂν ὁ δῆμος χειροτονήσῃ, καὶ σκεύη ταύταις καὶ νεωσοίκους. χειροτονεῖ δ' ἀρχιτέκτονας ὁ δῆμος ἐπὶ τὰς ναῦς· ἂν δὲ μὴ παραδῶσιν ἐξεργασμένα ταῦτα τῇ νέᾳ βουλῇ, τὴν 5 δωρεὰν οὐκ ἔστιν αὐτοῖς λαβεῖν. ἐπὶ γὰρ τῆς ὕστερον βουλῆς [Col. 25.] λαμβάνουσιν. || ποιεῖται δὲ τὰς τριήρεις, δέκα ἄνδρας ἐξ ἀ[πάντων] 2 ἐλομένη τριηροποιούς. ἐξετάζει δὲ καὶ τὰ οἰκοδομήματα τὰ δημόσια πάντα, κἄν τις ἀδικεῖν αὐτῇ δόξῃ τῷ τε δήμῳ τοῦτον ἀ[π]οφαί- 10 νει καὶ καταγνόντος παραδίδωσι δικαστηρίῳ.

5 ἐὰν H-L. 7 ἀ[πάντων] K, H-L: ἐαυτῆς Wayte, ἀ[ἑαυτῶν] K-W, B coll. 48, 13. 10 ΚΑΤΑΓΝΟΥΣΑ K, H-L: καταγνόντος K-W, B. <τῷ> δικαστηρίῳ Gennadios, Naber (H-L, idem τῷ non addunt in c. 45, 5 et c. 55, 7).

the βουλῇ we find νεωρίων ἐπιμαληθῆναι. From B.C. 347 to 323 an annual property tax amounting to ten talents was raised for the building τῶν νεωσοίκων καὶ τῆς σκευοθήκης (CIA ii 270).

καινὰς τριήρεις] Twenty, according to Diod. xi 43. In B.C. 356/5 the Council failed to build the requisite number of new triremes; Androtion nevertheless moved that they should receive the customary compliment of a golden crown; and for this he was attacked under a γράφη παρανόμων (Dem. Androt. 8).

ἡ τετρήρεις] In the list of the fleet for B.C. 330/29 eighteen quadriremes are mentioned: CIA ii 807 ὁ 76—79, τετρήρεις δ' ἐμὲ μὲν τοῖς νεωρίοις παρέδομεν ΠΙΙΙ, ἐμὲ πλὴν δὲ Δ. For the three years between B.C. 334/3 (ib. 804) and the above date the lists are missing. The earliest notice of quinqueremes is in B.C. 325/4, when seven are mentioned, ib. 809 d 90, the list for the previous year (ib. 808 d 36) giving quadriremes, as well as triremes, but no quinqueremes (Boeckh, *Seeurkunden*, p. 76). The archonship of Cephisophon, B.C. 329/8, is mentioned in c. 54 § 7. Hence the date of the treatise falls after B.C. 328, and before 325, the year in which quinqueremes appear for the first time (C. Torr in *Athenaeum*, Feb. 7, 1891; and Lipsius in *Leipzig Verhandlungen*, 1891, p. 45).

ἀρχιτέκτονας] 'naval architects,' or 'master ship-builders.' These are not mentioned elsewhere, but the names of 35 such persons are known to us from inscriptions (Boeckh, *Seeurkunden*, pp. 93—100). The ἀρχιτέκτων of Dem. de Cor. § 28 is a different kind of official, — the manager of the Theatre of Dionysus.

παραδῶσιν] ὁ βουλευταὶ. τὴν δωρεάν] Dem. Androt. § 8, (νόμον) οὐκ ἔωτος ἐξ-

εἶναι μὴ ποιησαμένη τῇ βουλῇ τὰς τριήρεις αἰτῆσαι τὴν δωρεάν (=τὸν στέφανον, ib. 36).

τριηροποιούς] In Dem. Androt. 17 the treasurer of this body is mentioned: οὐχ ἡ βουλῇ γέγονεν αἰτία τοῦ μὴ πεποιῆσθαι τὰς ναῦς, ἀλλ' ὁ τῶν τριηροποιῶν ταμίης ἀποδράς ὥχιστο ἔχων πένθ' ἡμιτάλαττα. The reference to the τριηροποιοὶ in Aeschin. c. Ctes. 30 implies that they were an ἀρχὴ αἰρετῇ: οὐδ' αἱ φυλαὶ καὶ αἱ τριττύες καὶ οἱ δῆμοι ἐξ ἐαυτῶν αἰροῦνται τὰ δημόσια χρήματα διαχειρίζειν. This last passage suggests that they were chosen by the tribes out of candidates nominated by the demes: the text implies that the choice rested with the βουλῇ. Probably the latter ratified, as a matter of course, the selection made by the tribes. Among similar commissioners elected by the tribes, may be mentioned the τευχοποιοὶ and the ταφροποιοὶ; the ἀποστολοεῖς were certainly elected ἐξ Ἀθηναίων ἀπάντων (Gilbert, i 250).

§ 2. οἰκοδομήματα] The inspection of public buildings has not hitherto been known to be one of the functions of the βουλῇ. But it is naturally connected with their duty of letting τεμένη καὶ ιερά καὶ οἰκίας, [Xen.] de Vect. iv 19.

ἀποφαίνει] 'formally denounces,' 'reports.' Ant. de Chor. 9, ἀποφῆναι καὶ ἐξελέγξασιν, Lys. 20 § 7 (οἱ κατηγοροὶ) ἀδικοῦντας ἀποφαίνουσι, and Dinarch. c. Dem. 48, κάμου κατέγνω πρότερον ἡ βουλῇ (the Areopagus), and ib. 49, ἀπέφηνεν ἡ βουλῇ.

παραδίδωσι δικαστηρίῳ] CIA i 59, (B.C. 410), [τὴν βουλὴν βουλευσῶ]αι ἐν τῇ πρώτῃ ἐδ[ρα] ἐν τῷ βουλευτηρίῳ καὶ κολλᾶειν τῶν δωρο[δοκῶντων καταψ]ηφισμένην, καὶ εἰς δικασ[τήριον] αὐτοῦς εἰσάγειν, καθότι ἂν δοκῇ αὐτῇ· τῶν δὲ δικαστῶν τοὺς παρόντας ἀποφαίνειν, κτλ.

47. συνδιοικεῖ δὲ καὶ ταῖς ἄλλαις ἀρχαῖς τὰ πλεῖστα. πρῶτον μὲν γὰρ οἱ ταμίαι τῆς Ἀθηνᾶς εἰσὶ μὲν δέκα, κλ[ηροῦνται] δ' εἰς ἐκ τῆς φυλῆς, ἐκ πεντακοσιομεδίωνων κατὰ τὸν Σόλωνος νόμ[ον] (ἔτι γὰρ ὁ ν[ό]μος κύριός ἐστιν), ἄρχει δ' ὁ λαχὼν κὰν πάνυ πέντης
 5 β. παραλαμβάνου[σι δὲ τ]ό τε ἄγαλμα τῆς Ἀθηνᾶς καὶ τὰς Νίκας καὶ τὸν ἄλλον κόσμον καὶ τὰ χρ[ήματ]α ἐναντίον τῆς βουλῆς.

XLVII 2 κληροῦνται δ' Gertz (edd.): κληρωτοὶ κ'. 3, 7 κληροῦνται δ' εἰς ἐκάστης φυλῆς Wyse coll. 61, 2;—ἐκ τῆς φυλῆς <ἐκάστης> Bury. 6 'χρήματα ἱερὰ τε καὶ δημόσια Phot. et Bekk. An.' K-W.

TESTIM. § 1 *Harp. ταμίαι: ... ἀρχή τις παρ' Ἀθηναίους ἦν οἱ ταμίαι δέκα τὸν ἀριθμὸν. παραλαμβάνουσι δ' οὗτοι "τὸ τε ἄγαλμα—βουλῆς," ὡς φησὶν Ἀρ. ἐν Ἀθ. πολ. Phot. (Bekk. An. 306, 7): ἀρχωτέες εἰσιν Ἀθηναῖσι κληρωτοὶ ἀπὸ τῶν πεντακοσιομεδίωνων, οἱ τὰ ἐν τῷ ἱερῷ τῆς Ἀθηνᾶς ἐν ἀκροπόλει χρήματα ἱερὰ τε καὶ δημόσια φυλάττουσιν, ἀλλὰ καὶ αὐτὸ τὸ ἄγαλμα τῆς Ἀθηνᾶς <καὶ τὸν κόσμον add. Bekk. An. l. c.>. Pollux viii 97: ταμίαι τῆς θεοῦ κληρωτοὶ μὲν ἐκ πεντακοσιομεδίωνων ἦσαν, τὰ δὲ χρήματα παρελάμβανον τῆς βουλῆς παρούσης.

XLVII § 1. οἱ ταμίαι τῆς Ἀθηνᾶς] The full title is ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηνᾶς. This is found in the inventories of the treasures in the Parthenon, the Hecatompedos and the Pronaos (CIA i 117—175), and in the records of payments from the treasure of Athena for public purposes (*ib.* 179, 180, 188). Cf. Hicks, *Hist. Inscr.* nos. 50, 51, 53, 54. The short title, ταμίαι τῶν τῆς θεοῦ, is found in *inscr.* of 325 (Boeckh, *Saurkunden*, p. 465). See Boeckh II v; Schömann, p. 418; Gilbert, i 234; and cf. note on 30 § 2, ταμίαι τῶν ἱερῶν χρημάτων κτλ.; also Panske, *de Magistratibus Atticis*, 1890, i pp. 13—46.

Σόλωνος νόμον] 8 § 1, κληροῦν τοὺς ταμίαις ἐκ πεντακοσιομεδίωνων.

ἄρχει δ' ὁ λαχὼν κτλ.] Solon's law regulating the qualification was practically obsolete. Cf. c. 7 *ult.*

παραλαμβάνουσι κτλ.] The accounts of the treasures transferred in each year were annually audited; they were also inscribed on blocks of stone once in four years (ἐκ Παναθηναίων ἐς Παναθήναια).

τὸ ἄγαλμα] The statue is not mentioned in our inventories; but from B.C. 385 there is proof of the existence of a separate specification respecting it. This was kept in the temple and the treasurers certified in each year that the statue and its appurtenances were all safe κατὰ τὴν στήλην (Köhler in *Mittheilungen*, 1879, p. 89, quoted by Hicks, p. 89). The ἄγαλμα is incidentally named in CIA ii 652, 42 (B.C. 398).

τὰς Νίκας καὶ τὸν ἄλλον κόσμον] About 435/4 B.C. the treasures of the Parthenon included golden figures of Νίκη, CIA i 32, B 2, τὰς Νίκας τὰς

χρυσᾶς καὶ τὰ πομπεία]. The number was probably ten. About 407/6 eight of these were melted down and made into gold coin, the καὶνὸν χρυσίον of Arist. *Ran.* 720 (see Schol.). Seven of the pedestals of these figures were still in existence between 377 and 367 (CIA ii 678, 47). In the earliest inventory after the archonship of Euclides a χρυσὴ Νίκη is mentioned (CIA ii 642). This Νίκη, which was nearly two talents (52 kilogr. = 115 lb.) in weight, was probably made out of the proceeds of the confiscated property of the Thirty (Michaelis, *Parthenon*, p. 301). The same Νίκη is entered in an inventory of the ταμίαι τῶν ἱερῶν χρημάτων τῆς Ἀθηνᾶς καὶ τῶν ἄλλων θεῶν, who existed as a joint body from about 403 to 389 B.C., to be separated again in 385. It is also named in CIA ii 677, B.C. 367.

Under the financial administration of Lycurgus (B.C. 338/7—326/5) part of the surplus of the public revenues was spent on preparing a number of golden Νίκαι, which were set apart among the treasures on the Acropolis. The decree of Stratonice, preserved in [Plut.] ii 852, recites that Lycurgus αἰρεθεὶς ὑπὸ τοῦ δήμου χρήματα πολλὰ συνήγαγεν εἰς τὴν ἀκρόπολιν καὶ παρασκευάσας τῇ θεῷ κόσμον Νίκας τε δλοχρόσους πομπεία τε χρυσᾶ καὶ ἀργυρᾶ καὶ κόσμον χρυσοῦν εἰς ἐκατὸν κατηφόρους (cf. *ib.* *vit.* Lycurg. § 5, πομπεία τε χρυσᾶ καὶ ἀργυρᾶ τῇ πύλει κατεσκεύασε καὶ Νίκας χρυσᾶς, and Paus. i 29, 16, κατεσκεύασε δὲ πομπεία τῇ θεῷ καὶ Νίκας χρυσᾶς καὶ παρθένους κόσμον ἐκατὸν). It was in B.C. 334 that, according to the λόγος ταμιῶν τῆς θεοῦ and a special commission handed with them, part of the surplus handed over by the ταμίαι τῶν

2 ἔπειθ' οἱ πωληταὶ δέκα μὲν εἰσι, κληροῦνται δ' εἰς ἐκ τῆς φ[υλῆς. μισ]θοῦσι δὲ τὰ μισθώματα πάντα καὶ τὰ μέταλλα πωλοῦσι, καὶ τὰ τέλη [μετὰ τ]οῦ ταμίου τῶν στρατιωτικῶν καὶ τῶν ἐπὶ τὸ θεωρικὸν ἡρημένων ἐναντίον τῆς [βουλῆς] κατακυροῦσιν 10 ὅτῃ ἂν ἡ βουλή χειροτονήσῃ· καὶ τὰ πραθέντα μέταλλα, [τὰ τ'] ἐργάσιμα τὰ εἰς τρία ἔτη πεπραμένα, καὶ τὰ συγκεχωρημένα τὰ

11 μέταλλα [δσα] κ;.....ει H-L (in papyro scriptum non ει, sed ap vel ag vel αι; μ. τὰ τ' K-W (B), ΜΕΤΑΛΛΑ ΤΑΤΑΡΕΡΓ deletis ap sec. K-W). In archetypo erat fortasse ΤΑ Τ ΑΡΓΑ Κ ΤΑ ΕΡΓΑΣΙΜΑ. 12 συγκεχωσμένα Poland, Busolt.

§§ 2, 3 *Harp. πωληταί: οἱ μὲν πωληταὶ ἀρχὴ τίς ἐστίν 'Αθήνῃσι, δέκα τὸν ἀριθμὸν ἄνδρες, εἰς ἐκ φυλῆς ἐκάστης. διοικοῦσι δὲ τὰ πιπράσκοντα ὑπὸ τῆς πόλεως πάντα, τέλη καὶ μέταλλα καὶ μισθώσεις καὶ τὰ δημεύμενα... διελκεται δὲ περὶ αὐτῶν καὶ Ἀρ. ἐν Ἀθ. πολ. Fere eadem in Bekk. An. 291, 17 et Lex. Dem. Patm. p. 14. Pollux viii 99: πωληταὶ τὰ τέλη πιπράσκουσι "μετὰ τῶν ἐπὶ τὸ θεωρικὸν ἡρημένων," καὶ τὰς "τῶν ἐξ Ἀρείου πάγου" μετὰ τὸν πρότερον λόγον φυγόντων οὐσίας καὶ τὰ δεδημευμένα (Frag. 401², 441³).

στρατιωτικῶν was spent εἰς τὰς Νίκ[ας καὶ] τὰ π[ο]μ[π]εῖα (CIA ii 739). These may be identified with certainty as the Νικαὶ of the text. κόσμος refers in part to the κόσμος κατηφορικός (CIA ii 162, frag. c 10), including δῖφοροι, ὑποδερῖδες (necklaces), ἀμφιδέαι (bracelets), and στέφανοι (ii 741 b c 3—5). Cf. Michaelis, *Parthenon*, p. 292; Boeckh, note 719 Fränkel; Foucart, *Les Victoires en or de l'Acropole*, *Bull. de corr. hellén.* xii 283—; and Dürnbach, *Lycurgue*, pp. 80—91.

§ 2. πωληταί] Hermann, *Staatsalt.* § 151, 2; Schömann, p. 417; Gilbert, i 227; Panske, *de Magistratibus Atticis*, i p. 10.

μισθοῦσι κτλ.] 'farm out the public contracts.' Thus the contracts for setting up tablets inscribed with public documents (σῆλαι) were let out by the πωληταί (Ditt. no. 13, 51; 43, 35; 45, 8). The contract for building the walls of Athens in 334—336 is let out by the same body (CIA ii 167).

τὰ μέταλλα πωλοῦσι] By the 'sale of the mines' is meant the sale of the right of working them. The 'purchaser,' who may be more correctly described as the lessee, paid a fixed price together with one twenty-fourth part of the net produce as a perpetual tax. The ordinary price of a share was one talent. See Boeckh, *On the Silver Mines of Laurium*, Appendix to *Publ. Econ.*, ed. Lewis. In CIA ii 780—783, and 782 b (p. 513), we have fragments of διαγραφὰι μετὰλλων drawn up by the πωληταί.

τὰ τέλη] Most of the tolls, customs and taxes were farmed by τελῶναι (Boeckh, III viii; Gilbert, i 335; *Dict. Ant. s.v.*).

τοῦ ταμίου τῶν στρατιωτικῶν] The management of military finances, which, in the fifth century, had been entrusted to the ἐλληνοταμίαι, was entrusted in B.C. 338 to a new officer called the ταμίης τῶν στρατιωτικῶν. The first to hold this office was Callias, the brother-in-law of Lycurgus ([Plut.] *Vit. Lyc.* § 27). It was supposed by Boeckh (II vii) that it was immediately after the archonship of Euclides that the ἐλληνοταμίαι were superseded by the ταμίαι τῶν στρ. and the superintendents of the theoric fund. But as late as 347 B.C. we find the ἀποδέκται described as making payments ἐκ τῶν στρατιωτικῶν χρημάτων ('Αθην. vi 152), which implies that the ταμίαι τῶν στρ. was not yet in existence (A. Schaefer in *Rhein. Mus.* xxxiii 431, quoted by Gilbert i 237 n. 3, and *Dem. u. s. Zeit.* II¹ 307 n. 2). In Boeckh, n. 317, Fränkel assigns 347 as the date when this office was instituted; but he is opposed by Hartel, *Studien*, p. 132 (Dürnbach, *Lycurgue*, p. 32). It is at present therefore impossible to assume any earlier date than 338 for its institution.—The same official took part in superintending the Panathenaic games (49 § 3).

τῶν ἐπὶ τὸ θεωρικόν] These financial officers were apparently instituted under the administration of Eubulus, between 354 and 339. The plural here decides the question whether there was only one official of the name, or more. Boeckh (II vii, p. 249²) supposed that there were ten. The pl. in Aeschin. c. *Ctes.* 25, οἱ ἐπὶ τὸ θ. χειροτονημένοι used to be understood of successive holders of the office. Cf. Gilbert, i 230.

τρία ἔτη] It has hitherto been supposed

εἰς <τρία> ἔ[τη] πεπραμένα. καὶ τὰς οὐσίας τῶν ἐξ Ἀρείου
πάγου φευγόντων καὶ τῶν [ὀφείλε]τῶν ἐν[αντίον τῆς] βουλῆς
15 πωλοῦσιν, κατακυροῦσι δ' οἱ ἐννέα ἄρχοντες· καὶ τὰ τέλη τὰ εἰς
ἐνιαυτ[όν] πεπραμένα, ἀναγράφαντες εἰς λελευκωμένα γραμματεῖα
τόν τε πριάμενον καὶ [ὅσου] ἂν πρίηται, τῇ βουλῇ παραδιδόασιν.
ἀναγράφουσιν δὲ χωρὶς μὲν οὐδς δεῖ κατὰ πρυ[τανείαν] ἐκάστην 3
καταβάλλειν εἰς δέκα γραμματεῖα, χωρὶς δ' οὐδς τ[ρις τοῦ] ἐνιαυτοῦ,

13 εἰς . ἔτη κ², κ-W, 'εἰς γ' ἔτη dubitanter nunc legit κ', εἰς τρία ἔτη B: [εἰς δέ] H-L.

14 [ὀφείλε]τῶν? κ²: [ἐξ ἔφε]τῶν dubitanter κ-W; ἀτίμων (quod quondam conieci) acceperunt H-L; ἅλλ (i.e. ἄλλως vel ἄλλοθεν) post τ(ω)ν agnoscī posse putat B qui τῶν [ἄλλοθεν] ἐν[αντίον] dedit.

17 [ὅσου] Tyrrell, H-L: ὅσου spatīo aptius κ-W, κ², B. 18 τῇ ante πρυτανείαν ins. B. 19 τ[ρις τοῦ] κ-W, B; [τελοῦτος] κ¹, τέ[λει τοῦ] κ²; πρὸ τέλους H-L.

that the state never let the mines for a term of years, but only granted them on perpetual leases (Boeckh's *Silver Mines of Laurium*, § 7, p. 645).

We have already been told that the πωληταὶ 'sell the mines.' We are now told that they lease for a term of three years, not only the mines that are still workable, but also those that are the subject of special concessions. It is observed by Boeckh, *l. c.* p. 646, that it could 'scarcely have been compulsory upon a tenant to pay to the state the purchase money of a new mine, if, after having expended his trouble and capital, he was unsuccessful in finding any ore.' It may therefore be here suggested that a term of three years was fixed for a provisional letting of the lease, and that the annual payment of $\frac{1}{4}$ was not due until the three years had elapsed. Possibly the original purchase money was in the first instance paid conditionally, and was recovered in the event of no ore being found. In the other event, at the end of the three years the provisional lease would be 'confirmed' in the presence of the βουλή.

In connexion with the mines, a period of 'three years' is mentioned in Hyperides, *Eux.* col. xlii, and [Dinarchus] fragm. in Baier and Sauppe, *Oratores Attici*, ii 325 b 4; but it seems to have no bearing on the present passage.

τὰ συγκεχωρημένα] possibly mines 'let under a special agreement' without the previous payment of purchase money. It has been suggested, however, that some word contrasted with ἐργάσιμα is needed, such as συγκεχωσμένα, exhausted mines with heaps of scoriae accumulated near them. Such mines, if they had reverted in any way to the state, would

have to be 'sold' for a very much smaller sum. In CIA ii 782, shortly after the time of Lycurgus, we find mention of a (μέταλλον) παλαιὸν ἀνασείμων, 'an old mine reopened and worked afresh,' which is sold in the second πρυτανεία (*ib.* 780) for the small sum of 150 dr.

τῶν ἐξ Ἀρείου πάγου φευγόντων] In trials before the Areopagus a person accused of wilful murder might (except in cases of parricide) withdraw from Attica 'after delivering his first speech' (Dem. 23 § 69), and thus avoid the penalty of death (Pollux, viii 117). Such a person was never allowed to return; and, when any decree was passed to sanction the restoration of exiles, there was a special clause excluding οἱ ἐξ Ἀρείου πάγου φεύγοντες, Plat. *Leg.* 871 D. Their property was confiscated, Dem. 23 § 45, τῶν ἀδροφόνων τῶν ἐξεληλυθόντων, ὡν τὰ χρήματα ἐπιτίμα.

τῶν ὀφειλετῶν] If a debt to the treasury remained unpaid at the ninth prytany, it was doubled and the debtor's property sold (Andoc. *De Myst.* 73; Dem. c. *Nicostr.* p. 1255 § 27; c. *Neaer.* p. 1347 § 7).

λελευκωμένα γρ.] [Dem.] 46 § 11, (γρ.) λελευκωμένον. Lys. 9 § 6, (of a fine) γράψαντες εἰς λεύκωμα τοῖς ταμίαις παραδόντων. Dem. 24 *Timocr.* 23, (of a new law) ἀναγράφας εἰς λεύκωμα. Bekker, *Anecd.* p. 277, λεύκωμά ἐστι πίναξ γυφίῳ ἀλημιμένος, πρὸς γραφὴν πολιτικῶν γραμμάτων ἐπιτίθειος.

§ 3. καταβάλλαν...καταβολήν] of payment by instalments, as in [Dem.] c. *Neaer.* 27, ἐισηγμένους τὴν πεντηκοστὴν τοῦ σίτου...καὶ δέον αὐτὸν καταβάλλειν τὰς καταβολὰς εἰς τὸ βουλευτήριον κατὰ πρυτανείαν, c. *Timocr.* 98, αἱ τῶν τελῶν καταβολαί.

γραμματεῖον κατὰ τὴν καταβολὴν ἐκάστην ποιήσαντες, χωρὶς δ' 10
 οὗς [ἐπὶ] τῆς ἐνάτης πρυτανείας. ἀναγράφουσι δὲ καὶ τὰ χωρία
 καὶ τὰς οἰκίας [τὰ ἀπογραφ]έντα καὶ πραθέντα ἐν τῷ δικαστηρίῳ
 καὶ γὰρ ταῦθ' οὗτοι πωλ[οῦσιν. ἔστι] δὲ τῶν μὲν οἰκίων ἐν πέντε
 4 καταβάλλουσιν δὲ ταῦτα ἐπὶ τῆς ἐνάτης πρυτανείας. εἰσ[φέ]ρει 15
 δὲ καὶ ὁ βασιλεὺς τὰς μισθώσεις τῶν <τε>μενῶν ἀναγράφας ἐν
 γραμματε[ίοις λελευκ]ωμένοις. ἔστι δὲ καὶ τούτων ἡ μὲν μίσθωσις

23 [τὰ ἀπογραφ]έντα Wyse, K-W, H-L, K³; τὰ πογρ. B; [τὰ μισθω]έντα K¹.
 23 [ἔστι] δὲ K-W, K³, B: καὶ H-L. 25 καταβάλλουσι H-L. εἰσφέρει K-W,
 K³, B: παραδίδωσι quondam Paton (H-L). 26 Τ(ΩΝ) Μ(ΕΝ)ΩΝ: τῶν τεμενῶν
 Wyse, Blass, (K-W, H-L, K³). 27 suppleverunt Jackson, van Leeuwen (edd.).

ἐνάτης πρυτανείας] The time when the purchase-money for the τέλη was paid: Dem. *Timocr.* 93, 98.

ἀπογραφέντα] In CIA i 274—281 we have the accounts rendered by the πωληταὶ for property (probably that of the Ἑρμοκοπίδαι) which had been confiscated and sold by the state. See also CIA ii 777, and 779 (τὰ δ' ἐπράθη ἐδόθη ἀτίμητα ὄντα); also 811 col. c 183—195, κατεβλήθη ἐξ ἀπογραφῆς, ἥς ἀπεγράψεν—τοῦτο κατεβλήθη πρὸς πωλητὰς τοὺς ἐφ' Ἡγησίου ἀρχοντος, B.C. 324/3; cf. Boeckh, *Seuerkunde*, p. 543.

πέντε...δέκα] These details have been hitherto unknown. The only definite statement about the rent of a house is in Isaeus II § 42, where a house in Melite worth 30 minas, and another at Eleusis worth 5, jointly produce an annual rent of 3 minas; so that in less than 12 years the occupant would have paid the value of the houses. In the same passage an estate at Thria, worth 150 minas, produces 12 minas per annum; so that in 12½ years the occupant would have paid the value of the estate.

§ 4. ὁ βασιλεὺς] The functions of this archon being mainly religious, he is here described as responsible for bringing the leases of sacred enclosures to the knowledge of the Council. Cf. CIA iv fasc. 2, 53 a (quoted by Wyse, *Class. Rev.* v 275 a): (418/7 B.C.) v. 3 sqq. Ἀδούσιος[εἶπε]· εἰρξαι τὸ λερόν τὸ Κόδρου καὶ τὸ Νηλέως καὶ τῆς Βασιλῆς (Plat. *Chart.* 153 A) εἰ[α] μισθῶσαι τὸ τέμενος κατὰ τὰς συγγραφάς, οἱ δὲ πωληταὶ τὴν εἰρξ[ιν] ἀπομισθωσάντων, τὸ δὲ τέμενος ὁ βασιλεὺς ἀπομισθωσάτω κατὰ [τ]ὰς συγγραφάς τὸ δὲ ἀργύριον ἐς τὴν εἰρξιν ἀπὸ τοῦ τεμένου εἶναι, πρᾶξαι δὲ ταῦτα πρὶν ἢ ἐξέλαι τήνδε τὴν βουλὴν ἢ

εὐθύνεσθαι χιλίαισι δραχμῇσι ἕκαστον κατὰ τὰ εἰρημένα. v. 11 sqq.: Ἀδούσιος εἶπε· τὰ μὲν ἄλλα καθάπερ τῇ βουλῇ· ὁ δὲ βασιλεὺς μί[σθωσάτω] καὶ οἱ πωληταὶ τὸ τέμενος τὸ Νηλέως καὶ τῆς Βασιλῆς κα[τὰ] τὰς συγγραφάς εἰκοσι ἔτη. τὸν δὲ μισθωσάμενον εἰρξαι τὸ [ε]ρόν τὸ Κόδρου καὶ τὸ Νηλέως καὶ τῆς Βασιλῆς τοῖς ἐαυτοῦ τέλεσιν. ὁπ[ό]σον δ' ἂν ἀλφῇ μισ[θ]ῶσιν τὸ τέμενος κατὰ τὸν ἐνιαυτὸν ἕκαστον, καταβαλλέτω τὸ ἀργύριον ἐπὶ τῆς ἐνάτης πρυτανείας τοῖς ἀποδέκται[ς], οἱ δὲ ἀποδέκται τοῖς ταμίαισι τῶν ἄλλων θεῶν παραδιδόντων κατὰ τὸν νόμον. ὁ δὲ βασιλεὺς ἐὰν μὴ ποιῇ τὰ ἐψηφισμένα ἢ ἄλλος τις οὗς προστέτακται περὶ τούτων, ἐπὶ τῆς Ἀθηνίδος πρυτανείας, εὐθυνέσθω μυρήσι δραχμῇσιν. τὸν δὲ [ε]ω[ρημένον] τὴν ἰδὴν ἐκκομίσασθαι ἐκ τῆς τάφρου ἐπὶ τῇσδε τῆς βουλῆς ἀποδόντα τὸ ἀργύριον τῷ Νηλεῖ δούσι ἐπρίατο. ὁ δὲ βασιλεὺς ἐξαλει[ψάτω] τὸν πρᾶμενον τὴν ἰδὴν ἐπειδὴ ἀποδῶν τῇ μίσθωσιν, τὸν δὲ μισθωσάμενον τὸ τέμενος καὶ ὅπουσιν ἂν μισθώσεται ἀντεγγραφάτω ὁ βασιλεὺς ἐς τὸν τοῦχον καὶ τοὺς ἐγγυητὰς κατὰ τὸν νόμον ὅσπερ κείται (περὶ) τῶν τεμενῶν. Cf. J. R. Wheeler in *American Journal of Archaeology*, iii, nos. 1 and 2.

The βασιλεὺς is associated with other officials in an inscr. of B.C. 329, 'Εφ. Ἀρχ. iii, 1883, p. 110 B 29, [τῶν τεμενῶν] ἀμισθῶσαν ὁ βασιλεὺς καὶ οἱ πατέρες καὶ οἱ ἐπιστάται καὶ Ἐ[ρ]ευνιστόθεν καὶ οἱ ἐπιμεληταὶ τῶν μυστηρίων.

τὰς μισθώσεις τῶν τεμενῶν] [Dem.] 43 § 58, τοὺς μὴ ἀποδιδόντας τὰς μισθώσεις τῶν τεμενῶν. Didymus ap. Harpocr. s.v. ἀπὸ μισθωμάτων (Isocr. *Areop.* 11)... ἐκ τῶν τεμενῶν προσδοῦν. [Xen.] *de Vect.* iv 19, μισθοῦνται γούν καὶ τεμένη καὶ λερά καὶ οἰκίας, καὶ τέλη ὠνοῦνται παρὰ τῆς πόλεως. Plat. *Leg.* 759 E.

εἰς ἑτη δέκα, καταβάλλεται δ' ἐπὶ τῆς [ἐνάτης] πρυτανείας· διὸ
καὶ πλείστα χρήματα ἐπὶ ταύτης συλλέγεται τῆς πρυ[τα]νείας.
30 εἰσφέρεται μὲν οὖν εἰς τὴν βουλὴν τὰ γραμματ[εῖα τὰ] τὰς κατα- 5
βολὰς ἀναγεγραμμένα, τηρεῖ δ' ὁ δημόσιος· ὅταν δ' ᾗ χρ[ημάτων]
καταβολή, παραδίδωσι τοῖς ἀποδέκταις αὐτὰ ταῦτα καθε[λὼν ἀπὸ
τῶν] ἐπιστυλίων ὧν ἐν ταύτῃ τῇ ἡμέρᾳ δεῖ τὰ χρήματα καταβλη-
[θῆναι] [καὶ ἀ]παλειφθῆναι· τὰ δ' ἄλλα ἀπόκειται χωρὶς ἵνα μὴ
35 προεξαλ[ειφθῇ].

48. [εἰσὶ] δ' ἀποδέκταις δέκα, κεκληρωμένοι κατὰ φυλίας·

30 κ? τας, καὶ per errorem scriptum putat K: [τὰ] τὰς K-W, B; πάντων τὰς H-L sed spatium non sinit. 32 καθε[λὼν] ἀπ[ὸ τῶν] van Leeuwen (H-L, K³, B): καθε[λὼν] ἐκ [τῶν] K-W sed λ incertum et ἐκ valde dubium putat K. 33 Δεῖ, ante τὰ χρήματα K³, K-W, B: om. H-L. καταβληθῆναι καὶ K-W, K³, B: καταβληθέντα δεῖ H-L. 34 ΔΑΛΕΙΦΗΝΑΙ corr. K. 35 προεξαλ[ειφθῇ] K³, K-W, B: προεξα[λείφθαι] H-L.

TESTIMONIA. XLVIII § 1, 2 * Harp. ἀποδέκταις... 'Αρ. δ' ἐν τῇ Ἀθ. πολ. δεδῆλωκεν ὡς δέκα τε εἶσαν καὶ ὡς "παραλαβόντες—χρήματα" τῆς βουλῆς ἐναντίον "ἐν τῷ—δημοσίῳ." καὶ ἀπλῶς ἂ πράττουσι διασαφεῖ. Bekk. An. 198, 1 (Etym. M. 124, 41;

ἑτη δέκα] CIA ii 1059 (= *Inscr. Brit. Mus.* p. 24 xiii), in B.C. 321, μισθοῦσι Πειραιεῖς Παράλλαν καὶ Ἀλμυρίδα καὶ τὰ λὰ τεμένη ἅπαντα for a term of ten years. The same term of years is recorded in a lease granted by a φρατρία in B.C. 300 (ib. 600), and also in an Attic inscr. relating to some land in Delos and Rheneia belonging to the Delian temple, CIA i 283 (B.C. 434). Wyse (*Class. Rev.* v 275 b) quotes a Delian inscr. of B.C. 250: ἐμισθώσαμεν δὲ καὶ τὰ τεμένη τὰ τοῦ θεοῦ εἰς ἑτη δέκα κατὰ τὴν ἱερὴν συγγραφὴν (Homolle, *Les Archives de l'Intendance Sacrée à Delos*, p. 19 n. 1).

πλείστα—πρυτανείας] It may further be noticed that all who had not paid their debts to the treasury by this date (the penultimate prytany of the Attic year) had their property sold by the state (see note on ὀφειλετῶν, *supra*, § 2).

§ 5. ὁ δημόσιος] 'the public clerk'; slaves were employed as ἀντιγραφεῖς or 'checking-clerks.' *Dict. Ant. s.v.*, and Gilbert, i 323 n. 3.

ἀποδέκταις] 48 § 1. αὐτὰ ταῦτα, sc. τὰ γραμματεῖα.

ἐπιστυλίων] It has been suggested that this term is metaphorically applied to the 'columns' in the list of accounts (*Class. Rev.* v 181 b); but obviously it cannot mean 'columns' at all, but something that rests upon them. In architecture the ἐπιστύλιον is generally the 'architrave' (Plut. *Per.* 13 § 5; Vitruv. iv 3 § 4, 'supra epistylum collocandi

sunt triglyphi cum suis metopis'; CIG 4608 (A.D. 151), παραστάδας καὶ κίονια καὶ τὰ ἐπάνω αὐτῶν ἐπιστύλια καὶ ψαλίδας): it is even said to be sometimes used of the whole of the entablature (Smith, *Dict. Ant. s.v. ad fin.*), but I know of no authority for this statement.

In the present passage I should understand it to mean a shelf supporting a series of 'pigeon-holes,' and itself supported by wooden pedestals, in the office of the public clerk. The entablature in Doric architecture, with its originally open metopes alternating between the triglyphs, may well have suggested a metaphorical term for a shelf of 'pigeon-holes' used for the preservation of public documents. K-W translate it *repositorium* or *loculi*. Haussoullier suggests a modern parallel in 'certains bureaux turcs (bureaux de douane ou de santé), où les papiers sont serrés dans les sacs que l'on accroche aux poutres et que l'on décroche au moyen d'un long bâton.'

προεξαλειφθῇ] not found elsewhere. ἐξαλειφειν, however, is found as a synonym of ἀπαλειφειν, being applied to annulling laws and decrees (in Lys. i § 48, and Andoc. *De Myst.* 76), and to cancelling debts (in Dem. 25 § 70, ἐξαλείφεται τὸ ὄφλημα, and CIA i 32, 10, ἀποδόντων τὰ χρήματα καὶ ἐξαλειφόντων). Cf. CIA iv fasc. 2, 53 a, ἐξαλειψάτω contrasted with ἀντενγραφάτω.

XLVIII § 1. ἀποδέκταις] 'general receivers.' These officials were instituted

οὔτοι δὲ παραλαμβάντες τὰ [γρα]μματεῖα, ἀπαλείφουσι τὰ κατα-
 βαλλόμενα χρήματα ἐναντίον [τῆς βουλῆς] ἐν τῷ βουλευτηρίῳ,
 καὶ πάλιν ἀποδιδόασιν τὰ γραμματεῖα [τῷ δη]μοσίῳ· κἄν τις
 ἑλλίπη καταβολήν, ἐνταῦθ' ἐγγέγραπται, καὶ διπλ[οῦν ἀ]νάγκη τὸ 5
 [ἐλλ]ειφθὲν καταβάλλειν ἢ δεδέσθαι, καὶ ταῦτα εἰσπράττειν ἢ
 2 βoυλή καὶ δῆσαι [κυρ]ία κατὰ τοὺς νόμους ἐστίν. τῇ μὲν οὖν
 προτεραίᾳ δέχονται τὰ χρ[ήματα] καὶ μερίζουσι ταῖς ἀρχαῖς, τῇ
 δ' ὕστεραίᾳ τὸν τε μερισμὸν εἰσ[φέρου]σι γράψαντες ἐν σανίδι καὶ
 καταλέγουσιν ἐν τῷ βουλευτηρίῳ, καὶ π[ροτιθέ]ασιν ἐν τῇ βουλῇ 10
 εἴ τις τινα οἶδεν ἀδικοῦντα περὶ τὸν μερισμὸν ἢ ἄρ[χοντα] ἢ
 ιδιώτην, καὶ γνώμας ἐπιψηφίζουσιν εἰάν τις τι δοκῇ ἀ[δικεῖν].
 3 κ]ληροῦσι δὲ καὶ λογιστὰς ἐξ αὐτῶν οἱ βουλευταὶ δέκα τοὺς

XLVIII 4 ἀποδιδόασιν H-L.

5 ΕΝΤΕΥΘΕΝΓΕ, ἐντεῦθεν γέγραπται K: ἐνταῦθ' ἐγγέγραπται Herwerden, Kontos, Gertz (H-L, K-W, B).

διπλoῦν ἀνάγκη van Leeuwen (K-W, H-L, K³, B).

9 εἰσφέρουσι van Leeuwen (K-W, H-L, K³). 10 προτιθέασιν olim conieci (H-L), idem habent K-W, K³, B.

Zonaras 234; Bekk. An. 427, 13): ἀρχοντες κληρωτοί, δέκα τὸν ἀριθμὸν κατὰ φυλὴν εἰσιν, οἵτινες παρελάμβανον καὶ ἀπεδέχοντο τὰ γραμματεῖα τῶν ὀφειλόντων τῷ δημοσίῳ... εἰτα ἐξήταζον τὰ τε ὀφειλόμενα καὶ τὰ ἀποδιδόμενα χρήματα σὺν τῇ βουλῇ καὶ ἐμερίζον εἰς ἀρχὴν ἀναλίσκειν (Frag. 400², 440²). Schol. in Aeschin. 3 § 25 ἀποδέκται ἦσαν οἱ δεχόμενοι τὰ χρήματα τῶν καταβολῶν κτλ.

§ 3 *Harp. λογισταί:...εἰσι δὲ τὸν ἀριθμὸν δέκα (ἐκάστην φυλὴν εἰς Schol. in Aeschin.

by Cleisthenes to take over most of the duties previously performed by the κωλακρέται (Androtion ap. Harpocr. s. v.). They are mentioned in Dem. c. Timocr. §§ 162, 197, Aesch. c. Ctes. 25, Pol. 1321 b 31, ἄλλη δ' ἀρχὴ πρὸς ἣν αἱ πρόσδοι τῶν κοινῶν ἀναφέρονται, παρ' ᾧ φυλατόντων μερίζονται (cf. l. 8 μερίζουσι) πρὸς ἐκαστὴν διοίκησιν· καλοῦσι δ' ἀποδέκτας τούτους καὶ ταμίαι, also in an inscr. of 418/7 B.C. quoted in note on § 4, ὁ βασιλεὺς. See Boeckh, II iv; Schömann, p. 417; Gilbert, i 226; and Dict. Ant. s. v.; also Panske, de Magistratibus Atticis, i 46—60.

τὰ καταβαλλόμενα χρήματα ἐναντίον τῆς βουλῆς CIA II 807 col. b 15, τοῦτο καταβέλομεν ἀποδέκταις in B.C. 330/29; b 30, in B.C. 329/8; 803 col. d 93 and 138, δ εἰς βουλευτήριον καταβέλομεν, B.C. 360 and 363.

ἄλλη καταβολήν 'fail to pay an instalment.' Polyb. iv 60, 2, ἐλλειοπένα τινα τῶν ὀφυνίων.

ἐνταῦθ' ἐγγέγραπται 'it is entered in this document'; this seems preferable to ἐντεῦθεν γέγραπται, 'a note is made of it from this record' (K.). ἐγγράφειν is specially applied to entering the names of state-debtors, Dem. 25 § 70 (cf. L and S, II 3).

δῆσαι κυρία In Dem. c. Timocr. 98 the speaker argues that, owing to the law proposed by Timocrates, allowing debtors to the treasury to find securities instead of making prompt payments, the βουλὴ (as well as the δικαστήρια) ceases to be κυρία θῆσαι. Cf. 45 § 1.

§ 2. μερίζουσι CIA II 38, 18 (not later than Ol. 100=B.C. 380-), μερίσαι δὲ τὸ ἀργύριον—τοὺς ἀποδέκτας ἐκ τῶν καταβαλλομένων χρημάτων ἐπειδὴν τὰ ἐκ τῶν νόμων μερίσωσι. Ib. 181, τοὺς δὲ ἀποδέκτας μερίσαι τῷ ἀρκέθειρῳ δὲ ἀν ἀελ ἀρκ[ε]-θ[εωρήσῃ τὸ] ἀργύριον. 115 b 44, [τὸ ἀργ]ύριον τοῦτο μερίσει τ[ο]ὺς ἀποδέκτας τῷ ταμίᾳ τοῦ δήμου εἰς τὸν] ἐνιαυτὸν ἑκάσ- τον. 834 b (B.C. 329/8) col. ii 3, τὸ μερισθὲν εἰς τὰ ἔργα παρ' ἀποδεκτῶν ἐπιστά- ταις Ἐλευσινοθεν. Pol. 1321 b 31, quoted above. Cf. Boeckh, i 210 n. a, Fränkel.

μερισμὸν 'the apportionment'; rarely found in this sense. For exx. see Dittenberger, no. 344, 18, 21, 23.

σανίδι rare in sing. Dem. 25 § 70 (of the record of a debt) ἢ σάνις ἢ παρὰ τῇ θεῇ κειμένη.

προτιθέασιν 44 § 3.

§ 3. λογιστὰς These are identical in name and number with those mentioned in 54 § 2. Both bodies are appointed by lot; but the λογισταί in the text are a

λογιουμένους τ[αῖς ἀρ]χαῖς κατὰ τὴν πρυτανεῖαν ἐκάστην. κλη- 4
 15 ρούσι δὲ καὶ εὐθύνοισι, ἕνα τῆς φυλῆς ἐκάστης, καὶ παρέδρους
 δύο ἐκάστῳ τῶν εὐθύνων, οἷς ἀναγκαῖόν ἐστι ταῖς ἀ[γορ]αῖς κατὰ
 τὸν ἐπώνυμον τὸν τῆς φυλῆς ἐκάστης καθῆσθαι, καὶ τις βού[ληται]
 τινι τῶν τὰς εὐθύνας ἐν τῇ δικαστηρίῳ δεδωκότων, ἐντὸς τριῶν
 ἡ[μερῶν ἀφ'] ἧς ἔδωκε τὰς εὐθύνας, εὐθυναν, ἢ τ' ἴδιαν ἢ τε

16 ταῖς ἀ[γορ]αῖς K (K-W): ταῖς εὐθύναις H-L et B invita papyro. ΚΑΤΑ (K, B):
 παρὰ van Leeuwen (K-W, H-L). 17 ἐκάστης K, K-W; ἕκαστον H-L; ἐκάστοις B;
 post τ prior tantum pars litterae η vel ο dispici potest. 19 ἢ τ' ἴδιαν ἢ τε
 δημοσίαν optime Gertz (H-W, K², ἐάν τ'—ἐάν τ'—H-L).

3 § 15; cf. ib. § 9), οἱ τὰς εὐθύνας τῶν διωκμένων ἐκλογίζονται ἐν ἡμέραις ᾧ, ὅταν τὰς
 ἀρχὰς ἀποθῶνται οἱ ἀρχοντες... διελκεται περὶ τούτων Ἄρ. ἐν τῇ Ἀθ. πολ., ἐνθα δεικνύται
 ὅτι διαφέρουσι τῶν εὐθύνων. Pollux viii 99: καὶ τούτους ἢ βουλὴ κληροὶ κατ' ἀρχὴν ὡς
 παρακολουθεῖν τοῖς δικοῖσιν.

§ 4 *Harp. εὐθνοὶ:—δέκα τὸν ἀριθμὸν ἦσαν ἄνδρες, παρ' οἷς ἐξέδισαν οἱ προσβεύσαντες
 ἢ ἀρξάντες ἢ διοικήσαντες τι τῶν δημοσίων τὰς εὐθύνας. διελκεται περὶ αὐτῶν Ἄρ. ἐν
 τῇ Ἀθ. πολ. Phot. εὐθνοὶ: ἀρχὴ ἦν τις. ἐξ ἐκάστης δὲ φυλῆς ἕνα κληροῖσι· τούτῳ
 δὲ δύο παρέδρους (Frag. 405², 445²).

committee of the Council. They are there-
 fore to be distinguished from the board of
 λογισταί, who, with their συνήγοροι, audit
 the accounts of all officials at the close
 of their term of office. The officials ap-
 pointed by lot are enumerated in c. 50—
 64; c. 54, in which the λογισταί are named,
 is introduced with the words: κληροῖσι
 δὲ καὶ τὰς ἀρχάς. This implies that
 the officials in question have not been
 mentioned before. The existence of a
 committee of the Council, side by side
 with a board of the same name, appears
 to be supported by the analogy of the
 committee entitled οἱ ἐπὶ τῷ θεωρικῷ
 ἡρημένοι (CIA ii 739), and the βουλευτῆς
 described as ἐπὶ τῷ θεωρικῷ (CIA ii 114
 c 5), existing by the side of the official
 board οἱ ἐπὶ τῷ θεωρικῷ. The double
 sense of λογισταί is confirmed by Pollux
 viii 99, λογισταί δύο ἦσαν ὁ μὲν τῆς βουλῆς
 ὁ δὲ τῆς διοικήσεως, καὶ τούτους ἢ βουλὴ
 κληροὶ κατ' ἀρχὴν ὡς παρακολουθεῖν τοῖς
 δικοῖσιν (Lipsius, *Leipzig Verhandl.* pp.
 66, 67). λογισταί δύο is the reading in
 Bekker's best MS; the rest have δύο δ',
 making it refer to the ἀντιγραφεὺς (see
 54 § 3).

τοὺς λογιουμένους—πρυτανεῖαν ἐκά-
 στην] Lys. 30 § 5, οἱ μὲν ἄλλοι τῆς αὐτῶν ἀρχῆς
 κατὰ πρυτανεῖαν λόγον ἀποφέρουσι (ἀναφέ-
 ρουσι MSS). The text shews that this pas-
 sage was rightly understood by Schömann,
 as referring to the accounts which had to
 be presented to the λογισταί, and not to the
 ἐπιχειροποιήσια τῶν ἀρχῶν (43 § 4). ἀναφέ-
 ρειν nihil aliud esse potest quam quod alibi

dicatur λόγον ἐγγράφειν, hoc est perscrip-
 tam rationem ad eos, quibus ea examinanda
 est, deferre, quemadmodum ipsum Lysiam
 mox hoc verbo ἐγγράφειν uti videmus, et
 Aeschines quoque ἀποφέρειν λόγον πρὸς
 τοὺς λογιστὰς dicit, in Ctesiph. § 22, eodem
 sensu quo paullo ante, § 20, λόγον ἐγγρά-
 φειν πρὸς τοὺς λογιστὰς dixerat (*Orusc.*
Acad. i 295).

§ 4. εὐθύνουσι] 'Examiners of accounts.'
 Harp. in *Testim.* At the audit of accounts
 by the board of λογισταί, the εὐθνοὶ were
 entitled to bring charges against the
 υπεύθυνος. The assessors of the εὐθνοὶ
 are mentioned in Andoc. *De Myst.* 78,
 ὅσων εὐθνοὶ τινεὶ εἰσι κατεγνωσμένοι ἐν
 τοῖς λογιστηρίοις ὑπὸ τῶν εὐθύνων καὶ
 (ἢ MSS) τῶν παρέδρων, and in CIA 809 δ,
 ὀφειλέτω ὁ μὴ ποιήσας μυρίας δραχμὰς
 ἰερὰς τῇ Ἀθηνᾷ καὶ ὁ εὐθνος καὶ οἱ
 πάρεδροι ἐπάναγκες αὐτῶν καταγιγνωσ-
 κόντων ἢ αὐτοὶ ὀφειλόντων. In CIA ii 571
 (B.C. 368), the εὐθνος (of a deme) is
 mentioned together with his πάρεδροι;
 and ib. 578, the εὐθνος (of another deme)
 with the λογιστῆς and the συνήγοροι.

The text shews that, even after the
 audit had been passed, officials were
 liable to be prosecuted by private persons
 in respect to the manner in which they
 had discharged their duties. Cf. Lipsius
 in *Leipzig Verhandl.* pp. 66, 67.

ταῖς ἀγοραῖς] i.e. at the regular
 meetings held by the several tribes for
 the transaction of tribal business. CIA
 ii 555, τῇ κυρίᾳ ἀγορᾷ κρύβδην ψηφισα-
 μένων τῶν φυλετῶν] ἐν τῇ ἀροποδίᾳ,

δ[ημοσίαν], ἐμβαλέσθαι, γράψας εἰς πινάκιον λελευκωμένον τοῦ-
νομα τό <τε> [αὐτοῦ] καὶ τὸ τοῦ φεύγοντος καὶ τὸ ἀδικημ' ὃ τι ἂν
ἐγκαλῇ, καὶ τίμημα [ἐπιγραψά]μενος ὃ τι ἂν αὐτῷ δοκῇ, δίδωσιν
5 τῷ εὐθύνῃ· ὁ δὲ λαβὼν τοῦτο καὶ ἀ[νακρίνας], ἐὰν [μὲν] καταγνῷ,
παραδίδωσιν τὰ μὲν ἴδια τοῖς δικασταῖς τοῖς κατὰ δ[ήμους, τοῖς] τὴν
φυλὴν ταύτην εἰσάγουσιν, τὰ δὲ δημόσια τοῖς θεσμοθέτα[ις ἐπι-] 15
γράφει, οἱ δὲ θεσμοθέται, ἐὰν παραλάβωσιν, πάλιν εἰσάγουσιν
[τὴν] εὐθυναν εἰς τὸ δικαστήριον, καὶ ὃ τι ἂν γνῶσιν οἱ δικαστ[αί,
τοῦτο κύ]ριόν ἐστι.

49. δοκιμάζει δὲ καὶ τοὺς ἵππους ἢ βουλή, κἂν μὲν τις καλὸν

21 τὸ αὐτοῦ Blass, Richards, H-L, K³; τὸ τε αὐτοῦ K-W. 22 [ἐπιγραφόμενος
Wyse, Lipsius (K³); [ἐπιγραφά]μενος H-L, B; ὁ [πογραφόμενος] K-W, sed u valde incer-
tum putat K. δίδωσι H-L. 23 ἀ[νακρίνας] Wayte, Lipsius: ἀ[ναγνοῦς] Blass,
K-W, H-L, K³, quamquam vel propter proximum καταγνῷ suspectum; ἀ[κούσας] K¹.
μὲν secl. K-W, B. 24 legendum fortasse τὰ μὲν ἴδια παραδίδωσιν, alioqui in altero
membro verbum languet. τοῖς τὴν B; οἱ τὴν cet. 25 ΕΙΣΑΓΟΥΣΙΝ K, H-L, B:
δικάζουσιν coni. Richards, Thompson (K-W). [ἀνα]γράφει K, H-L; [ἐγ]γράφει
Lipsius; [ἐπι]γράφει B; [τίμημα δ' ὑπο]γράφει K-W, sed spatium non sinit. 26 εἰσά-
γουσι H-L. 28 τοῦτο κύριόν ἐστι van Leeuwen (K-W, H-L, K³, B).

XLIX 1—2 καλὸν ἵππον K-W (K³, B); καλ[ῶς] ἔχω K¹ qui nunc in papyro ONI
agnoscit; κατὰ δόξαν Wyse (H-L).

554 δ, ἐν τῇ ἀγορᾷ (of the tribe Pandi-
onis), 564, ὅταν ἀγορὰν ποιῶσιν (Gilbert,
i 192).

ἐν τ'... ἐν τε] Kühner, § 541.

ἐμβαλέσθαι] of formally 'putting in' a
document, Dem. p. 1014, 25, ἐμβαλε-
μένος οὐδεμίαν μαρτυρίαν, 1104, 6; 1203,
26, ἐμβαλομένου γὰρ ἐμοῦ τὸν ὄρκον εἰς τὸν
ἐχῶρον.

τίμημα ἐπιγραφάμενος] Arist. *Plut.*
480, τί θητά σοι τίμημ' ἐπεγράψω τῇ δικῇ;
Lex ap. Aeschin. i § 16, τίμημα ἐπι-
γραφάμενος. Dem. 29 § 8, τῶν ἐπιγε-
γραμμένων ('the damages claimed') ἐτί-
μησαν.

§ 5. ἀνακρίνας—καταγνῶ] The exami-
nation of the accounts by the λογισταὶ
and συνήγοροι is described as an ἀνάκρισις.
Ar. ap. Lex. *Rhet. Cant.* s.v. λογισταί,
(συνήγοροι) συνανακρίνουσι τοῖς τοῖς
(λογισταῖς). For the general use of ἀνα-
κρίνω, as applied to the official conducting
an ἀνάκρισις, cf. Dem. *Olym.* 31, ὁ
ἀρχων ἀνέκρινε πᾶσιν ἡμῖν τοῖς ἀμφισ-
βητούσιν, and Isaeus, *Dicaeog.* 32, ἀνα-
κρίναντες ἡμᾶς πολλὰ καὶ οἰδινητά. Cf.
56 § 6 (γραφὰι and δικαί) ἀς ἀνακρίνας
εἰς τὸ δικαστήριον εἰσάγει. The statement
that the ἀνάκρισις was also called an
ἀνάγνωσις rests on a wrong reading in
Dem. 53 § 22. The object of an ἀνάκρισις
was to determine by a preliminary exami-

nation, εἰ ὅλοις εἰσάγειν χρὴ (*Harp. s.v.*).

δικασταῖς...κατὰ δ[ήμους] 16 § 5; 26
§ 3; 53.

τὴν φυλὴν ταύτην εἰσάγουσιν] 53 § 2,
παραδίδωσι...τοῖς τὴν φυλὴν τοῦ φεύγοντος
δικάζουσιν, 58 § 2, τοὺς τὴν φυλὴν δικά-
ζοντας, Lys. *Pand.* 2, τοὺς τῇ Ἰππο-
θωντίδι δικάζοντας, and Isaeus *frag.* 1,
ὅτι πρὸς τὴν φυλὴν τοῦ κεκτημένου αἱ πρὸς
δοῦλους λαγχάνονται δίκαι (Meier and
Schömann, p. 90 n. Lips.).

ἐπιγράφει] Aeschin. i § 35, μέχρι πεν-
τήκοντα δραχμῶν καθ' ἑκάστον ἀδίκημα
ἐπιγράφειν τοῖς πράκτορσι.

One of the other suggestions, ἐγγράφει,
is supported by Aeschin. 3 § 20, λόγον
ἐγγράφειν πρὸς τοὺς λογιστάς, Lys. 30 § 5,
Dem. 24 § 199, Arist. *Vesp.* 996 (Lipsius).

The construction is slightly irregular,
as a principal verb is not wanted, παρα-
δίδωσι being the verb to both clauses—
μὲν and δέ. The irregularity is removed
by striking out μὲν, but this involves a
needless hiatus and is not absolutely
necessary.

ὃ τι ἂν—κύριόν ἐστι] Cf. c. 45, l. 10.

XLIX § 1. δοκιμάζει—τοὺς ἵππους]
Xen. *Oec.* ix 15, ἢ βουλὴ ἵππους καὶ
ἱππίας δοκιμάζει, *Hipparch.* i 8, (ἢ πόλις)
προσέταξε τῇ βουλῇ συνεπιμελεῖσθαι τοῦ
ἱππικοῦ, and iii 9—14. A *palera* from
Orvieto, now in the Berlin Museum,

Ἰππων ἔχ]ων κακῶς δοκῇ τρέφειν, ζημιοὶ τῷ σίτῳ, τοῖς δὲ μὴ
δυναμένοις [ἀκολ]ουθεῖν, ἢ μὴ θέλουσι μένειν ἀναγ<ώγους> οὖσι,
τροχὸν ἐπὶ τὴν γυ[άθον ἐπιβάλλει, καὶ ὁ τ]οῦτο παθὼν ἀδόκιμὸς
5 ἔστι. δοκιμάζει δὲ καὶ τοὺς πρ[οδ]ρ[ό]μους, ὅσοι ἂν α]ὐτῇ δοκῶ||σιν [Col. 26.]
ἐπιτήδειοι προδρομεύειν εἶναι, κἂν τιν' ἀποχειροτονήσῃ, καταβέ-

3 ἀκολουθεῖν Wyse (κ², β); τρέφειν κ¹, τρέχειν Campbell, κ-w, H-L. θέλουσι

ΛΓ (vel ΛΛ)

κ, β. MENEIN ΑΝΑΓΟΥΣΙ; μένειν, ἀναγράφουσι Campbell; μένειν, ἐπιβάλλουσι
R D Hicks; μένειν ἀναγ<ώγους> οὖσι H-L (κ²); μένειν ἀλλ' ἀνάγουσι β (intrans.
certe usurpatur in Arist. Av. 383, 400, 1720 et Xen. Cyr. vii 1, 45 ἀναγωγῶν ἐστρα-
τοπεδεύσατο, sed non de equis dictum); (post θελουσιν) σημείον ἐπιβάλλουσι κ-w.
4 γνάθον Hicks coll. Hesych. s.v. τρυσίπτιον; ἐπιβάλλουσι post μένειν posuit Hicks,
post γνάθον H-L (κ²), sed (ut videtur) novem tantum litteris locus relictus; praestat
igitur ἐπιβάλλει (β). [καὶ ὁ τ]οῦτο κ, H-L, β: [καὶ ὁ ἱππος ὁ τ]οῦτο (post γνά-
θον) κ-w. 5 ὅσους κ¹; ὁ δὲ κ² (H-L); [κρίνουσα, ὁ δ'] <αὐ>-τῇ κ-w sed
spatium non sufficit: ὅσοι ἂν κ² (β); inter προδρόμουι et αὐτῇ sex septemve litterarum
spatium superest. 6 ΤΙΝΑΠ[ΡΟ]Χ (ut infra, v. 7): τιν' ἀποχ. J B Mayor, Camp-
bell, Wyse, Blass, etc. κ-w, H-L, κ².

TESTIMONIA. XLIX 4 Hesych. τρυσίπτιον et ἱππου τροχός, infra exscriptus. Phot.
ἱππου τροχός: τὰ τρυσίπτιον διὰ τὸ τοῖς διὰ γῆρας ἐκτρυχωθεῖσιν ἱπποῖς ἐκτυπώσθαι
τροχῶν, ἀπολεγόντων αὐτοὺς τῶν στρατηγῶν.

represents three horsemen in *chlamys* and
petasus leading their horses by the bridle
past two standing figures who examine
them as they pass. A third figure is
seated and is entering memoranda on a
scroll resting on his knees. In the centre
is a *ἱπποτοξότης* standing beside his horse.
The subject is doubtless a *ἱππων δοκι-
μασία* (*Archaeol. Zeitung*, 37, 1880, pl.
15; Duruy, *Hist. d. Grecs*, ii p. 177;
Daremberg and Saglio, s.v. *Dokimasia*,
p. 327; Schreiber's *Bilderatlas*, i 40, 7).
On the *δοκιμασία* of the *ἱππεῖς* and
their horses, see Martin, *Les Cavaliers
Athéniens*, pp. 328—334.

τοῖς μὴ δυναμένοις ἀκολουθεῖν κτλ.]
Xen. *Mem.* iii 3, 4, ἐὰν οὖν...παρέχωνται
σοι τοὺς ἱπποὺς ὁ μὴ οὐκ κακόποδας ἢ
κακοσκελεῖς ἢ ἀσθενεῖς ὥστε μὴ δύνασθαι
ἀκολουθεῖν, οἱ δὲ οὕτως ἀναγώγους ὥστε
μὴ μένειν ὅπου ἂν σὺ τάξῃς...τί σοι τοῦ
ἱππικοῦ ὄφελος ἐσται; *Hipparch.* i 13,
τοὺς...ἱππέας ἢ βουλὴν ἂν μοι δοκεῖ προει-
ποῖσα ὥς...τὸν μὴ δυνάμενον ἱππον
ἀκολουθεῖν ἀποδοκιμάσει, ἐπιτεῖναι ἂν
τρέφειν τε ἀμεινὸν καὶ ἐπιμελεῖσθαι μᾶλλον
τῶν ἱππῶν. ἀνάγωγος is also an epithet
of 'unmanageable' dogs in *Mem.* iv 1, 3.
τροχὸν—ἐπιβάλλει Hesych. s. v.
τρυσίπτιον· τὸν χαρακτήρα τὸν ὑπὸ τῆς
βουλῆς ἐν ταῖς δοκιμασίαις τοῖς ἀδυνάτοις
καὶ τετρυμμένοις <τῶν ἱππῶν ἐπιβαλλό-
μενον addidit Petitus>, ἵνα μηκέτι στρα-
τεύωται, τὸ παλαιὸν ἐκάλεον τρυσίπτιον·
τροχός δ' ἦν ὁ ἐπιβαλλόμενος χαρακτήρ τῇ
γνάθῳ τῶν ἱππῶν. Hesych. ἱππου τροχός·

τῶν γεγραμμένων ἱπποῖς ἐχάραττον ἐπὶ τῇ
γνάθῳ σημείον, τροχοῦ σχῆμα ἔχων. ἐκα-
λεῖτο δὲ καὶ τρυσίπτιον. Aelius Dionys.
apud Eustath. ad *Od.* iv 562, p. 1517, 8,
τρυσίπτιον· ἔγκαιμα ἱππου γεγραμμένος
ἐπὶ τῆς γνάθῳ, ὅμοιον τροχῷ. Crates,
frag. 30 (Kock i 140), ἱππῳ γηράσκοντι
τὰ μέλαινα κύκλ' ἐπιβάλλει, quoted by
Zenob. iv 41,...μετῆται δὲ ἀπὸ στρατιω-
τικῶν ἱππῶν, οἱς γηράσκουσιν ἐπιβάλλων
τὸ καλούμενον τρυσίπτιον· ἐστὶ δὲ τοῦτο
σιδηροῦς τροχίσκος...ὃν ἐκτυρόντες ἐπέ-
βαλλον ταῖς σιαγῇσι τῶν ἱππῶν. Eupolis
318 (Kock i 343) ἀλλ' ὥσπερ ἱππῳ μοι
πιβαλεῖς τρυσίπτιον; Cf. Photius s.v.
τρυσίπτιον and ἱππου τροχός, and Pollux
vii 186. As suggested by Kaibel and
Willamowitz, most of the above expla-
nations probably rest ultimately on a
scholium on the *Taxiarchi* of Eupolis
founded on the present passage.

προδρόμου] 'mounted skirmishers.'
The term is applied by Hdt. to 'horse-
men in advance of an army.' Xen.
Hipparch. i 25, uses it of 'javelin-men'
under the command of a cavalry officer:
εἰ τοὺς ἀμφὶ σὲ προδρόμους κοσμήσας μὲν
ὄπλοις ὡς κάλλιστα, ἀκοντίζων δὲ μελετᾷν
ἐξαναγκάσαις ὡς μάλιστα, κτλ. In the
march of Alexander to the Granicus, the
Paeonians formed a special corps of πρό-
δρομοι for purposes of reconnoitring (*Arr.
An.* i 12, 7; Droysen, *Kriegsallertümer*,
p. 117, 3).

προδρομεύειν] not found elsewhere.

καταβέβηκεν] 'dismounts' (as dis-

βηκεν οὗτος. δοκιμάζει δὲ καὶ τοὺς ἀμίππους, ἅν τιν' ἀποχειρο-
 2 τονήσῃ, πέπαυται μισθοφορῶν οὗτος. τοὺς δ' ἱππέας καταλέγου-
 σιν οἱ καταλογεῖς, οὓς ἂν ὁ δῆμος χειροτονήσῃ δέκα ἄνδρας· οὓς δ'
 ἂν καταλέξωσι, παραδιδόασιν τοῖς ἱππάρχοις καὶ φυλάρχοις, οὗτοι 10
 δὲ παραλαβόντες εἰσφέρουσι τ[ὸν] κατάλογον εἰς τὴν βουλὴν, καὶ
 τὸν πῖνακ' ἀνοίξαντες, ἐν ᾧ κατασεσημασμένα τὰ ὀνόματα τῶν
 ἱππέων ἐστί, τοὺς μὲν ἐξομνυμένους τῶν πρότερον ἐγγεγραμμένων
 μὴ δυνατοὺς εἶναι τοῖς σώμασιν ἱππεύειν ἐξαλείφουσι, τοὺς δὲ
 κατειλεγμένους [κ]αλοῦσι, ἅν μὲν τις ἐξομώσῃται μὴ δύνασθαι τῷ 15
 σώματι ἱππεύειν ἢ τῇ οὐσίᾳ, τοῦτον ἀφιάσιν, τὸν δὲ μὴ ἐξομνύμενον
 διαχειροτονοῦσιν οἱ βουλευταί, πότερον ἐπιτήδειός ἐστιν ἱππεύειν

7 ΔΝΙΠΠΟΥΣ: ἀμίππους Newman, Wyse, Blass, K-W, H-L, K³. ΤΙΝΑΤΠΡΟΧ
 (ut supra, v. 6). 12 ΠΙΝΑΚΑΝΟΙΣΑΝΤΕΣ: πίνας ἄν. K-W, B; πίνακα ἄν. K, H-L.
 Κ(ΑΤΑ)CΕCΗCΜ(ΕΝ)ΔCΜ(ΕΝ)Δ. 13 ΕΝΓΕΓΡ. 15 ΕΞΟΜΩCΗΤΑΙ: ἐξομώσῃται
 K, H-L; ἐξομώσῃται K-W (B).

qualified); used differently in [Dem.] 43 § 24 of giving up riding, καταβέβηκεν ἀπὸ τῶν ἱππῶν.

ἀμίππους] 'infantry fighting in the ranks of the cavalry.' Thuc. v 57, 2, (of the Boeotians at Delium) ὁπλίται, ψιλοὶ, ἱππῆς and ἀμπίται. Xen. *Hell.* vii 5, 24 (Epameinondas) ἀμπίτους πεζοὺς συντάξεν αὐτοῖς (= τῷ ἱππικῷ); the opposite side was ἔρημον πεζῶν ἀμπίτων (23); the MSS have in both cases ἀνίπτ-, corrected by Morus. Xenophon recommends their use: *Hipparch.* v 13, ἀσθενὲς τὸ πεζὼν ἔρημον ἱππικὸν πρὸς τὸ ἀμπίτους πεζοὺς ἔχον. Harpocr. s. v. ... οἱ σὺν ἱπποῖς στρατευόμενοι... μήποτε (perhaps) πρόδρομοί τινές εἰσιν οἱ ἅμα τοῖς ἱππεύσι τεταγμένοι. Φιλόχορος γοῦν ἐν τῇ 15^η φησὶ καὶ προδρόμους. Ar., in *Pol.* 1321a 17, speaks of generals οἱ συνδυάζουσι πρὸς τὴν ἱππικὴν δύναμιν καὶ ὁπλιτικὴν τὴν ἀρμάττονσαν τῶν ψιλῶν. Cf. Martin, *Les Cavaliers Athéniens*, p. 410.

§ 2. οἱ καταλογεῖς] These officials (who bear the same name as the καταλογεῖς under the Four Hundred, Lys. 30 § 13, but are not mentioned elsewhere) are described as employed in drawing up the roll of the cavalry; they hand it over to the Hipparchi and Phylarchi, to be brought by them before the Council. The fact that the βουλὴ conducted the δοκιμασία of the ἱππεῖς was already known (Xen. *Oec.* ix 15). In Lys. 14 § 10, 'Ἀλκιβιάδης ἐτόλμησεν ἀναβῆναι... οὐτε ὑφ' ὧν δοκιμασθεῖς, the pronoun loosely identifies the δικασταὶ with the βουλευταί. The text

shews that no proceedings before a law-court were involved in a δοκιμασία ἱππέων.

The term κατάλογος is applied to the official list of the ἱππεῖς in Lys. 16 § 13 (of Mantiheus), προσελθὼν ἔφη τῷ Ὀρθοβόλῳ (doubtless his Phylarchus) ἐξαλείψαι με ἐκ τοῦ καταλόγου, *ib.* § 6, τοὺς φυλάρχους ἀπενεγκεῖν τοὺς ἱππεύσαντας. The Hipparchi, as well as the Phylarchi, were responsible for the κατάλογος, as had already been pointed out by Bake, *Scholica Hypomnemata*, v 150, 170: the text shews that it was drawn up in the first instance by the καταλογεῖς.

τὸν πῖνακ'] The κατάλογος of the ἱππεῖς under the Thirty is described as drawn up on a σαρίδιον (Lys. 16 § 6) or σαρίδες, Lys. 26 § 10, ὡς ἱππευκτός αὐτοῦ ἐπὶ τῶν τράκοντα τοῦτομα ἐν ταῖς σαρῖσιν ἐνεγέγραπτα.

κατασεσημασμένα] Plat. *Leg.* 756 E, (in the scheme proposed for the appointment of the βουλὴ) τὰ κατασημασθέντα ὀνόματα ἐξεργεῖν τοὺς ἀρχοντας ἰδεῖν πᾶσι τοῖς πολιταῖς.

ἐξομνύμενους] Pollux viii 55 (ἐξωμοσία) ὅταν τις ἢ πρεσβευτὴς αἰρεθεὶς ἢ ἐπ' ἄλλῃ τινα δημοσίαν ὑπηρεσίαν, ἀρρωστειν ἢ ἀδυνατεῖν φάσκων ἐξομνύται αὐτὸς ἢ δι' ἑτέρου. Schol. on Arist. *Eccl.* 1026.

ἐγγεγραμμένους] Lys. 26 § 10, quoted above, and 16 § 6 (as emended by Markland). Arist. *Eg.* 1371, ὁπλίτης ἐντεθεὶς ἐν καταλόγῳ ἐγγεγράφεται.

ἐξαλείφουσι] Lys. 16 § 7, ἐκ τούτων (the lists of ἱππεῖς under the Thirty) ῥάδιον ἢ ἐξαλειφθῆναι τῷ βουλομένῳ.

ἡ οὖν κὰν μὲν χειροτονήσωσιν, ἐγγράφουσιν εἰς τὸν πίνακα, εἰ δὲ μή, καὶ τοῦτον ἀφίαισιν.

10 ἔκρινεν δέ ποτε καὶ τὰ παραδείγματα καὶ τὸν πέπλον ἡ βουλή, 3
νῦν δὲ τὸ δικαστήριον τὸ λαχόν· ἐδόκουν γὰρ οἱτοὶ καταχαρίζεσθαι
τὴν κρίσιν. καὶ τῆς ποιήσεως τῶν Νικῶν, καὶ τῶν ἄλλων τῶν εἰς
τὰ Παναθήναια, συνεπιμελεῖται μετὰ τοῦ ταμίου τῶν στρατιω-
τικῶν.

25 δοκιμάζει δὲ καὶ τοὺς ἀδυνάτους ἡ βουλή· νόμος γάρ ἐστιν ὅς 4

20 ἔκρινε H-L.

K(ΔΙ) TON K, K-W, H-L: τὰ εἰς τὸν B.

§ 4 *Harp. ἀδύνατοι: ... οἱ ἐντὸς τριῶν μῶν κεκτημένοι τὸ σῶμα πεπηρωμένοι [πεπηρω-
μένοι codd. praeter E (Suid.), ubi οἱ πεπηρωμένοι τὸ σῶμα; τὸ δὲ σῶμα πεπηρωμένοι

§ 3. παραδείγματα] Of the architect's plan for the temple at Delphi, Hdt. v 62. The construction of such a παράδειγμα is illustrated by an inscr. cited by Homolle, *Les Archives de l'Intendance Sacrée à Délos*, p. 13, n. 4: εἰς τὸ παράδειγμα τοῦ προπύλου πίνακα ἡγοράσαμεν παρὰ Χρησίου Διτ. ἐπισκευάσαντι τὸν πίνακα Θεοδόμηκον. λευκῶσαντι τὸν πίνακα ἀμφοτέρωθεν. The wood used for the πίναξ is also mentioned: τοῦ φοίνικος τοῦ περιγενομένου ἀπὸ τοῦ παραδείγματος (Wyse, *Class. Rev.* v 275 δ). Cf. CIA ii 807 δ 101 (B.C. 330), παράδειγμα τῶν κεραμίδων τῶν ἐπὶ τῇ σκευοθήκῃ and ib. 126, π. ξύλων τῆς τριγλίου τῆς ἐγκαίσεως. The last item recurs in B.C. 325, ib. 809 col. e 8, and in B.C. 324, ib. 811 col. δ 193.

τὸν πέπλον] woven by ἐργαστῆναι, under the superintendence of two ἀρχηφόροι and certain priestesses. In CIA ii 477 we have an inscr., ascribed to B.C. 98, referring to a proposal to dedicate to Athene a silver φιάλη with 100 dr. on the part τῶν παρθένων τῶν ἡρασμένων τῇ Ἀθηνᾷ τὰ ἔρια τὰ εἰς τὸν πέπλον. These were the ἐργαστῆναι αἱ τὸν πέπλον ὑφαίνουσαι (Hesych.). In CIA ii 956, 957, 957 δ, we have lists of ἐργαστῆναι (one of them containing more than 100 names) arranged under their respective tribes, many of them belonging to the Εὐπατρίδαι (Bull. Corr. Hellén. xlii 170; Mittheil. viii 65). A new peplos was made every year (Schol. Arist. *Eq.* 566). The *loci classici* are collected in Michaelis, *Parthenon*, Anhang II §§ 151—164, 171—3, p. 328—9. Suidas, s. v. ἐπιώνατο, describes the ἀρχηφόροι as selected by the archon βασιλεύς, while Harpocr., s. v. ἀρχηφορεῖν, states that four ἀρχηφόροι ἐχειροτονοῦντο δι' ἐγγράφου, and two of these ἐκρίνοντο to superintend the πέπλος. The text shews that the appointment was ultimately transferred to a law-

court to secure an impartial selection.

νῦν δὲ τὸ δικαστήριον] The date of this transfer to a law-court of duties formerly entrusted to the Council is uncertain. The παράδειγμα of the σκευοθήκη designed by Philo was expounded in public by the architect himself:—Cic. *de Or.* i 62, 'Philonem illum architectum, qui Atheniensibus armamentarium fecit, constat perdiserte *populo* rationem operis sui reddidisse'; Val. Max. viii 12, 2, 'Philonem...rationem institutionis suae in theatro reddidisse constat.' It was constructed between B.C. 347/6 and 330/29.

The fact that the exposition took place before the 'people,' 'in the theatre,' is suggestive of a meeting of the ἐκκλησία rather than one of the βουλῆ. It is certainly inconsistent with an appearance before a δικαστήριον. There is more evidence for the theatre being used for meetings of the ἐκκλησία (Müller's *Bühnenalterthümer*, p. 73) than for those of the βουλῆ. The only evidence for the latter is CIA ii 482, B.C. 39—32.

Thus, the above passages respecting Philo suggest that the duty of deciding on παραδείγματα was in his time not yet transferred to a law-court; on the other hand, they do not refer to any hearing before the Council.

Νικῶν] 47 § 1.

τῶν δόλων] The musical, gymnastic, and equestrian contests. Among the minor contests were those in *ἐσθνδρία* (60 § 3), the Pyrrhic dance and the Lampadedromia (see Michaelis, *Parthenon*, Anh. II §§ 46—130, and Smith, *Dict. Ant. s. v.* Panathenaea). The special officials were the ten *Athlothetai* (60 § 1), who received subsidies from the ταμίαι *λεπῶν χρημάτων τῆς Ἀθηναίας* (CIA i 188, 1—7).

ταμίου τῶν στρατιωτικῶν] 43 § 1.

§ 4. τοὺς ἀδυνάτους] Schol. Aeschin.

κελεύει τοὺς ἐντὸς τριῶν μυνῶν κεκτημένους, καὶ τὸ σῶμα πεπηρωμένους ὥστε μὴ δύνασθαι μηδὲν ἔργον ἐργάζεσθαι, δοκιμάζειν μὲν τὴν βουλὴν, διδόναι δὲ δημοσίᾳ τροφὴν δύο ὀβολοὺς ἐκάστῳ τῆς ἡμέρας.

καὶ ταμίας ἐστὶν αὐτοῖς κληρωτός.

5 συνδιουκεῖ δὲ καὶ ταῖς ἄλλαις ἀρχαῖς τὰ πλείσθ', ὡς ἔπος εἰπεῖν.

30

50. τὰ μὲν οὖν ὑπὸ τῆς βουλῆς διοικούμενα ταῦτ' ἐστίν. κληροῦνται δὲ καὶ ἱερῶν ἐπισκευασταὶ δέκα ἄνδρες, οἱ λαμβά-

28 δὲ ὀβολοὺς K-W, B: δύο ὀβολοὺς cum pap. K, H-L.

31 συνδιουκεῖ—εἰπεῖν
delet Herwerden utpote 'ex capitis 47 initio maximam partem repetita, hic autem incommoda': eadem recte idcirco retinet K, quod talia Senatus officia nondum omnia sint commemorata.

post Bekkerum Dind.]. ἐλάβανον δὲ οὗτοι δοκιμασθέντες ὑπὸ τῆς βουλῆς δύο ὀβολοὺς τῆς ἡμέρας ἐκάστης [τῇ ὀβολῶν], ὡς φησιν Ἀρ. ἐν Ἀθ. πολ. Bekk. An. 345, 15 (cf. 200, 3): οἱ μέρος τι βεβηλαμένοι τοῦ σώματος ὡς μὴδὲ ἐργάζεσθαι· οἱ καὶ ἐχορηγοῦντο τὰ πρὸς τὸ ζῆν παρὰ τῆς πόλεως, μισθοφοροῦντων αὐτῶν (αὐτοῖς cod.) ὡς (τῶν cod.) ἐντὸς τριῶν μυνῶν (om. cod.) περιουσίαν κεκτημένων. ἐδοκιμάζοντο δὲ οἱ ἀδύνατοι ὑπὸ τῆς τῶν πεντακισίων βουλῆς καὶ ἐλάβανον τῆς ἡμέρας, ὡς μὲν Λυσίας λέγει, ὀβολῶν ἑνα, ὡς δὲ Φιλόχορος, πέντε, Ἀρ. δὲ δύο εἴη. Hesych. οἱ ἐντὸς κεκτημένοι τριῶν μυνῶν παρὰ Ἀττικοῖς. ἐλάβανον δὲ παρὰ τῆς βουλῆς δύο ὀβολοὺς (Frag. 430^a, 470^a).

i 103, κατὰ μήνα (πρυτανείαν?) ἐκ τοῦ δημοσίου δίδονται τοῖς ἀδυνάτοις πολῖταις μισθὸς ἀδυνάτους δὲ πάντας λέγουσι τοὺς ὅπως-δηγοῦν ἡχρεωμένους πρὸς ἐπικουρίαν ἐαυτῶν. At first it was only citizens who were disabled in war that received relief from the state. This institution is ascribed to Peisistratus in Plut. Sol. 31, ὁ νόμος ὁ τοὺς πηρωθέντας ἐν πολέμῳ δημοσίᾳ τρέφειν κελεύων. This limitation was afterwards removed. It is clear that the speaker in Lys. 24, ὑπὲρ τοῦ ἀδυνάτου, had never seen any service in the field; otherwise he would have mentioned the fact (Gilbert, i 329). The speech is addressed to the βουλὴ on the occasion of an εἰσαγγελία. The βουλὴ are there described as having given the grant (§ 7, ἔδοτε, and in more general terms § 22, πᾶσαι κοινῇ πάντες ἔδοτε μοι). The grant had to be confirmed by each successive βουλὴ, as implied in § 26, τὴν αὐτὴν ψήφον θέσθε περὶ ἐμοῦ ταῖς ἄλλαις βουλαῖς. It rested ultimately on a decree of the people, § 22, ἡ πόλις ἡμῶν ἐψηφίσατο τοῦτο τὸ ἀργύριον, but it does not follow that the case of each recipient was settled by decree.

μὴ δύνασθαι μηδὲν ἔργον ἐργάζεσθαι] Lys. 24 § 6, τέχνην κέκτημαι βραχεῖα δυνάμενην ὠφελεῖν ἢν αὐτὸς μὲν ἤδη χαλεπῶς ἐργάζομαι.

δοκιμάζειν] The fact is stated by

Harpocr., Bekker's *Anecd. Gr.* 345, 18, and Suidas.

δύο ὀβολοὺς] Hence in Harpocr. s. v. ἀδύνατοι the words ἡ ὀβολῶν must be struck out (as was suggested by Hullemann, *Quaestiones Graecae*, p. 5). The text is correctly quoted in Bekker's *Anecd. Gr.* 345, 15.

ταμίας] In B.C. 343/2, CIA ii 114, there were two βουλῆς ταμίαι. They superintended τὰ κατὰ ψηφίσματα ἀναλισκόμενα τῇ βουλῇ (114 B 61). Early in the third century we have an inscr. mentioning only one; CIA ii 329 Νικοκράτης βουλεύειν λαχὼν—καὶ ταμίας ἀπρεθεῖς ὑπὸ τῆς βουλῆς εἰς τε τὰς θυσίας τοῖς..... σιν μεμέρισκεν τοῖς ἱεροποιοῖς—καὶ ὑπὲρ πάντων ὧν ψικουμένηκεν ἀπολελογισται τῇ βουλῇ ὀρθῶς καὶ δικαίως (Gilbert, i 254; cf. ii 431, 36).

§ 5. συνδιουκεῖ—πλείσθ' 47 init.; 57 § 1, ὡς δ' ἔπος εἰπεῖν—διουκεῖ οὗτος πᾶσας. ὡς ἔπος εἰπεῖν] c. 2 κλ., ὡς εἰπεῖν, 57 § 1, ὡς ἔπος εἰπεῖν.

L—LIII. On minor officials appointed by lot.

L § 1. ἱερῶν ἐπισκευασταί] 'repairers of temples'; not mentioned elsewhere. The small sum allowed for this department (30 minae) implies that their duties were unimportant. The word is used in an unofficial sense in Dem. *Androt.* 69.

νοντες τριάκοντα μνᾶς παρὰ τῶν ἀπο[δε]κτῶν, ἐπισκευάζουσιν τὰ
 μάλιστα δέοντα τῶν ἱερῶν, καὶ ἀστυνόμοι δέκα. τούτων δὲ 2
 5 πέντε [μὲν] ἀρχοῦσιν ἐν Πειραιεῖ, πέντε δ' ἐν ἄστει, καὶ τὰς τε
 αὐλητρίδας καὶ τὰς ψαλτρίδας [καὶ] τὰς κιθαριστρίδας οὗτοι σκο-
 ποῦσιν, ὅπως μὴ πλείονος ἢ δυεῖν δραχμαῖν μισθωθῇσονται, κῶν
 πλείους τὴν αὐτὴν σπουδάσῃσι λαβεῖν, οὗτοι διακληροῦσι καὶ τῇ
 10 σταδίων τοῦ τείχους καταβαλεῖ κόπρον ἐπιμελοῦνται, καὶ τὰς
 ὁδοὺς κολλοῦσι κατοικοδομεῖν, καὶ δρυφάκτους ὑπὲρ τῶν ὁδῶν

Λ 3 ἐπισκευάζουσι H-L.

5 πειραεῖ (K-W, B): Πειραιεῖ K, H-L.

7 ΔΥΕΙΝ

ΔΙC

ΔΡΑΧΜ... (fortasse δραχμαῖν scriptum erat); δυεῖν δραχμαῖς idcirco retinet K quod
 in titulis Atticis δυεῖν cum plurali tantum iunctum sit, Meisterhans, p. 162²; δυεῖν

CTΔ

δραχμαῖν K-W¹, B; δυὸν δραχμαῖν H-L, K-W².

9 ΕΝΤΟCΙΔΙΩΝ: ἐντὸς ἰ σταδίων

J E B Mayor (K-W, H-L, K², B), ἐντὸς ἰ σταδίων <ἀπὸ> malebat van Leeuwen.

10 ΚΑΤΑΒΑΛΗΗ? ante corr.

ΕΠΙΜΕΛΟΝΤΑΙ.

TESTIMONIA. Λ § 2 * Ἡμεῖς ἀστυνόμοι... δέκα φησὶν εἶναι τοὺς ἀστυνόμους 'Αρ.
 ἐν τῇ 'Αθ. πολ., "πέντε μὲν ἐν Πειραιεῖ, πέντε δ' ἐν ἄστει." τούτοις δὲ φησὶ μέλειν
 περὶ τε τῶν αὐλητρίδων καὶ ψαλτρίδων καὶ τῶν κοπρολόγων καὶ τῶν τοισύτων (Frag.
 408², 448²). Heraclidis epitom. Rose, Frag. 611, 8, καὶ τῶν ὁδῶν ἐπιμελοῦνται
 ὅπως μὴ τινας κατοικοδομήσιν αὐτὰς ἢ δρυφάκτους ὑπερτείνουσιν.

ἀποδεκτῶν] 48 §§ 1, 2.

§ 2. ἀστυνόμοι] Pol. 1321 ὁ 18,
 ἑτέρα δ' ἐπιμέλεια... ἡ τῶν περὶ τὸ ἀστυ
 δημοσίων καὶ ἰδίων, ὅπως εὐκοσμία ᾗ, καὶ τῶν
 πιπτόντων οἰκοδομημάτων καὶ ὁδῶν σω-
 τηρία καὶ διόρθωσις καὶ τῶν ὁρίων τῶν πρὸς
 ἀλλήλους... καλοῦσι δ' ἀστυνομίαν οἱ πλεί-
 οστοι τῇ τοιαύτῃ ἀρχῇ, ἰδ. 1331 ὁ 9 τῇ
 καλουμένῃ ἀστυνομίαν. The fact that
 the ἀστυνόμοι were appointed by lot
 is stated in Dem. 24 § 112. Cf. Gilbert,
 i 245, and Häderli, *die Astynomen und*
Agoranomen (Teubner) 1886.

αὐλητρίδας] Hyperides, ii 4, 3, πλείονος
 μισθοῦντες τὰς αὐλητρίδας ἢ ὁ νόμος κελεύει.
 Cf. Plato, *Protag.* 347 D (of the συμπόσια
 τῶν φαύλων καὶ ἀγοραίων ἀνθρώπων) οὗτοι
 τιμὰς ποιοῦσι τὰς αὐλητρίδας, πολλοὺ μισ-
 θοῦμενοι ἀλλοτρίων φωνῇ τῇ τῶν αὐτῶν.
 —ὅπου δὲ καλοὶ κάγαθοι συμπόται καὶ πε-
 παιδευμένοι εἰσὶν, οὐκ ἂν ἴδωσι οὐτε αὐλη-
 τρίδας οὐτε ὄρχ. τρίδας οὐτε ψαλτρίδας.
 The αὐλητρίς (as well as the κιθάρα) is to be
 seen at the symposium, in Schreiber's
Bildergalerie, i 76, 2 and 4; and the κι-
 θαριστρία and the ψαλτρία in the mural
 paintings from the Farnesina garden in
 Baumeister's *Denkmäler*, figs. 1605, 1609.

κοπρολόγων κτλ.] Arist. Frag. 662
 Kock, κοπρολογεῖ κόφρον λαβεῖν. Schol.
 Dem. *Timocr.* 735, 16, ἀστυνόμοι ὁ τῶν

δημοσίων ἐπιμελοῦμενοι καὶ τοῦ καθαροῦ
 εἶναι τῇ πόλιν. Cf. Wachsmuth, *Stadt*
Athen, ii 282.

τὰς ὁδοὺς] A decree relating to the
 Peiraeus which was proposed by De-
 mades in B.C. 320 (Ditt. no. 337) assigns to
 the ἀγορανόμοι some of the duties of the
 ἀστυνόμοι—requiring them ἐπιμεληθῆναι
 τῶν ὁδῶν τῶν πλατειῶν... ἐπαρκαζόντων
 δὲ καὶ τοὺς τῶν χοῦν (rubbish) καταβεβλη-
 κότας εἰς τὰς ὁδοὺς πάντας ἀναρεῖν τρόπον
 ὅπως ἂν ἐπιστῶται... μὴ ἐξείναι μηδὲν μῆτε
 χοῦν καταβάλλειν μῆτε ἄλλο μὴδὲν μῆτε
 κόπρον μῆτε ἐν τῇ ἀγορᾷ μῆτ' ἐν ταῖς ὁδοῖς
 μηδαμοῦ. Cf. Meier and Schömann, p.
 105—8 Lipsius.

κατοικοδομεῖν] [Xen.] *de Rep. Ath.* iii
 4, δεῖ δὲ... διαδικάζειν εἰ τι... κατοικοδομεῖ
 τὴν δημοσίαν. The general superintending
 of buildings has been ascribed to the ἀστυ-
 νόμοι on the analogy of the provisions
 suggested in Plat. *Leg.* 763 C, τῶν τε ὁδῶν
 ἐπιμελοῦμενοι... καὶ τῶν οἰκοδομῶν. Cf.
 Polyæn. iii 9, 30, 'Ἰφικράτης ἐν ἀγορίᾳ
 χρημάτων ἐτείσει Ἀθηναίους τὰ ὑπερέχοντα
 τῶν οἰκοδομημάτων ἐς τὰς δημοσίας ὁδοὺς
 ἀποκόπτειν ἢ κτεράσκειν κτλ.

δρυφάκτους] Balconies projecting from
 the fronts of houses. (Lat. *maeniana*,
 like that of the *casa del balcone pensile* at
 Pompeii; forbidden at Rome in A.D. 368

ὑπερτείνειν, καὶ ὀχετοὺς μετεώρους εἰς τὴν ὁδὸν ἔκρουν ἔχον[τας] ποιεῖν, καὶ τὰς θυρίδας εἰς τὴν ὁδὸν ἀνοίγειν καὶ τοὺς ἐν ταῖς ὁδοῖς ἀπογυγνομένους ἀναιροῦσιν, ἔχοντες δημοσίους ὑπηρέτας. 14

51. κληροῦνται δὲ καὶ ἀγορανόμοι, πέντε μὲν εἰς Πειραιέα, πέντε δ' εἰς ἄστυ. τούτοις δὲ ὑπὸ τῶν νόμων προστέτακται τῶν ὠ[νίων] ἐπιμελεῖσθαι πάντων, ὅπως καθαρὰ καὶ ἀκίβδηλα πω- 4 λήτῃαι.

TESTIMONIA. LI § 1 *Harp. ἀγορανόμοι: οἱ κατὰ τὴν ἀγορὰν ὥσια διοικούντες ἀρχόντες... Ἄρ. δ' ἐν Ἀθ. πολ. κληροῦσθαι φησι "πέντε μὲν εἰς Πειραιᾶ, πέντε δὲ εἰς ἄστυ" (Frag. 409², 449²).

and again by Honorius and Theodosius.) Schol. Arist. *Vesp.* 386 δρόφακτοι τὰ νῦν ταβλιωτά (ταβλιώματα Schol. *Eq.* 675) καλούμενα, τὰ τῶν οἰκοδομημάτων ἐξέχοντα ξύλα, cf. 349 and 830 with Schol.

ὀχετοὺς κτλ.] the λαύραι of Arist. *Pax* 99; cf. Wachsmuth, *Stadt Athen*, p. 284-5. θυρίδας εἰς τὴν ὁδὸν ἀνοίγειν] *thyris* is usually a 'window,' as in *de Anima* 404 a 4 and *Probl.* 913 a 10, αἱ διὰ τῶν θυρίδων ἀκτῖνες, also in Arist. *Vesp.* 379, and *Thest.* 797, ἐκ θυρίδος παρακύπτωμεν, Plut. *Dion.* 57, πρὸς ταῖς θύραις τοῦ οἴκου καὶ ταῖς θυρίσιν, and *Mor.* 522 (*de Curiositate* 13). The same meaning can be retained in Plat. *Rep.* 359 D, ἵππων χαλκοῦν, κοῖλων, θυρίδας ἔχοντα, καθ' ἃς ἐγκύβαντα ἰδεῖν ἐνόντα νεκρῶν, cf. Lucian, *Hermio-timus*, 20, τὸν ἀρχιτέκτονα ἐπέπληξε τὸν Ἡφαιστον, διότι μὴ καὶ θυρίδας ἐποίησεν αὐτῷ κατὰ τὸ στέρνον, ὡς ἀναπετασθεῖσιν κτλ., and Plut. *Mor.* 2, 273 B, διὰ τὴν πόλιν μίαν θυρίδα καλοῦσι (τὴν γὰρ φαίνεσθαι τοῦτο σημαίνειν) and *ib.* διὰ θυρίδος προκύψασα. I can find no passage in which *thyris* means the same as *thura*. In L and S *thyris* is defined as a diminutive of *thura*; but, of the two passages quoted, the first (Plato, *l. c.*) is inconclusive, and in the second (Plutarch *l. c.*) it certainly means a 'window.' In a Greek house the principal windows were in the *peristyle*, and any that looked into the street were on the upper storey. We must suppose that windows with shutters opening outwards on to the street were prohibited. Possibly such shutters were considered dangerous in the event of their being loosened by the wind and falling into the street.

The author of the *Oeconomica*, 2, 1347 a 6, says of Hippias, τὰ ὑπερέχοντα τῶν ὑπερώων εἰς τὰς δημοσίας ὁδοὺς καὶ τοὺς ἀναβαθμοὺς καὶ τὰ προφράγματα, καὶ τὰς θύρας τὰς ἀνοίγομένας ἐξω ἐπώλησεν (taxed, cf. Wachsmuth, *Stadt Athen*, ii 286); and Plutarch, *Porcic.* 20, infers from

the comic poets that in former days the doors of Greek houses usually opened outwards. Mr Kenyon, who regards *thyris* as synonymous with *thura*, supposes that the *ἀστυνόμοι* prohibited this. If so, it must have been in defiance of the *ἀστυνόμοι* that the doors of Athenian houses, in the time of the Attic comedy, 'habitually opened outwards.' The fact is far from certain, but it does not concern us here, unless *thyris* is to mean the same as *thura*, an opinion which, in the light of the general usage of Greek authors, we can hardly accept.—*thyridas* and *thuras* are, however, sometimes confounded in MSS (see *apparatus criticus* to Aesch. 1 § 74, συγκληροῦσι τὰς θύρας, where one MS has *θυρίδας*).

ἀναιροῦσιν] 'take up for burial,' Arist. *Vesp.* 386, Xen. *Anab.* vi 4, 9.

LI § 1. ἀγορανόμοι] *Pol.* 1321 b 12, πρῶτον μὲν οὖν ἐπιμέλεια τῶν ἀναγκαίων ἢ περὶ τὴν ἀγορὰν, ἐφ' ἣ δὲ τινα ἀρχὴν εἶναι τὴν ἐφορῶσαν περὶ τὰ συμβόλαια καὶ τὴν εὐκοσμῆναι, and 1299 b 17. Lys. 22 κατὰ τῶν σιτοπωλῶν, § 16, ἐπὶ μὲν τοῖς ἄλλοις ὥσιος ἅπασιν τοῖς ἀγορανόμοις κατεστήσατε. In Dem. 24 *Timocr.* § 112 the ἀγορανόμος, as well as the ἀστυνόμος, is described as holding a κληρωτὴν ἀρχήν. Arist. *Vesp.* 1407, *Ach.* 724, 968 and Schol. on 806; Xen. *Symp.* ii. 20. Cf. Meier and Schömann p. 101—4 Lipsius; Schömann, *Ant.* p. 416; Büchenschütz, *Besitz u. Erwerb*, p. 536; Gilbert, i 246; Häderli, *die Astynomen und Agoranomen*.

ἐπιμελεῖσθαι... ὅπως... πωλῆται] At the end of the next sentence the papyrus has ἐπιμελεῖσθαι followed by ὅπως χρῆσονται. In the inscriptions of the fourth century against 37 exx. of ὅπως ἂν c. subj. we have only one of ὅπως, CIA ii 115, 45 (Ditt. no. 106), ἐπιμελεῖσθαι... ὅπως... κομίσωνται in the same inscr. ὅπως ἂν occurs twice (Meisterhans, p. 212²). Cf. 29 § 3. In this respect the usage of in-

5 κληροῦνται δὲ καὶ μετρονόμοι, πέντε μὲν εἰς ἄστυ, πέντε δὲ 2
εἰς Πειραιέα· καὶ οὗτοι τῶν μέτρων καὶ τῶν σταθμῶν ἐπιμελοῦνται
πάντων, ὅπως οἱ πωλοῦντες χρῆσονται δίκαιοις.

ἦσαν δὲ καὶ σιτοφύλακες κληρωτοί, πέντε μὲν εἰς Πειραιέα, 3
πέντε δ' εἰς ἄστυ, νῦν δ' εἴκοσι μὲν εἰς ἄστυ, πεντεκαίδεκα δ' εἰς
10 Πειραιέα. οὗτοι δ' ἐπιμελοῦνται, πρῶτον μὲν ὅπως ὁ ἐν ἀγορᾷ

LI 7 ΧΡΗΣΩΝΤΑΙ: χρῆσονται Sidgwick, Rutherford, Blass, H-L, K-W, K².
8 δὲ καὶ <δέκα> B; κληρωτοί <ί> ex Harp. addiderunt K-W. Quidni etiam in vv. 1, 5?
ΠΕΡΑΙΕΑ: Πειραιέα K, K-W, B; Πειραιᾷ H-L. 9 ΕΙΚΟCΙ (littera ε evanida) K,
H-L, B: εἰσι ιε K-W. 10 ΠΕΡΑΙΕΑ K, K-W, B: Πειραιᾷ H-L.

§ 2 *Harp. μετρονόμοι: ἀρχὴ τις Ἀθήνησιν ἔστυν ἡ τῶν μετρονόμων... ἦσαν δὲ τὸν ἀριθμὸν ἱ, ἔ μὲν εἰς Πειραιᾷ, ἔ δ' εἰς ἄστυ (legebatur τὸν ἀριθμὸν ιε, εἰς μὲν τὸν Π. ἱ, ἔ δὲ εἰς ἄστυ: epitomes ope correxit Dind. collato Voemelio in Bergkii *Erphem. antiq.* 1852, p. 31): εἶχον δὲ τὴν ἐπιμέλειαν ὅπως δίκαια ἦ τὰ μέτρα τῶν πωλούντων, ὡς καὶ Ἀρ. ἐν τῇ Ἀθ. πολ. δηλοῖ. Bekk. *An.* p. 278, 25: ἀρχὴ τις Ἀθήνησι κληρωτὴ ἡ τῶν μετρονόμων, δέκα τὸν ἀριθμὸν, ὧν πέντε μὲν ἦσαν ἐν τῷ Πειραιεῖ, πέντε δὲ ἐν ἄστει, οὗτοι δὲ τὴν ἐπιμέλειαν εἶχον ὅπως δίκαια ἦ τὰ μέτρα τῶν πωλούντων. Photius: ἄρχοντες ἦσαν δέκα τὸν ἀριθμὸν, ὧν πέντε μὲν ἐν ἄστει, πέντε δ' ἐν Πειραιεῖ· καὶ εἶχον τὴν ἐπιμέλειαν ὅπως—πωλούντων (cf. *Frag.* 412³, 451³).

§ 3 *Harp. σιτοφύλακες: ἀρχὴ τις ἦν Ἀθήνησιν, ἥτις ἐπεμελεῖτο ὅπως ὁ σίτος δίκαιος πρᾶθῃται καὶ τὰ ἄλλα καὶ οἱ ἄρτοι. ἦσαν δὲ τὸν ἀριθμὸν ἱ, ἔ μὲν ἐν ἄστει (τὸν ἀριθμὸν ιε μὲν ἐν ἄστει), ἔ δ' ἐν Πειραιεῖ, ὡς Ἀρ. ἐν Ἀθ. πολ. Photius: ἀρχὴ τις—ἄρτοι. ἦσαν δὲ τὸν ἀριθμὸν πάλαι μὲν πέντε καὶ δέκα ἐν ἄστει, πέντε δὲ ἐν Π. ὕστερον δὲ τριάκοντα μὲν ἐν ἄστει, πέντε δ' ἐν Π. Bekk. *An.* 300, 19: ἄρχοντες Ἀθήνησιν κληρωτοί. οὗτοι δ' ἐπεμελοῦντο ὅπως — οἱ ἄρτοι κατὰ τὰ ὠρισμένα τιμὰς καὶ τὸν σταθμὸν (*Frag.* 411², 451³).

scriptions differs from that of ordinary literature. In the latter *ὅπως* *ἄν* is less common; *ὅπως* with the future indicative is frequent in both. See Goodwin's *Moods and Tenses*, §§ 339, 348, ed. 2; Madvig, *Gk. Syntax*, §§ 122—123.

§ 2. μετρονόμοι] The numbers given in the text, five for the city and five for the Peiraeus, confirm the account in Photius, *s.v.* art. 1, and Bekker's *Anecd.* 278, 25 (accepted by Voemel, and Gilbert, i 247). The mss of Harpocr. have: ἦσαν δὲ τὸν ἀριθμὸν ἱ'ε', εἰς μὲν τὸν Πειραιᾷ ἱ', ε' δ' εἰς ἄστυ. Boeckh accepts 15 as the total, but assigns five to the Peiraeus and ten to the city. Dindorf corrects Harpocr. thus: ἦσαν δὲ τὸν ἀριθμὸν ἱ', ε' μὲν εἰς τὸν Πειραιᾷ, ε' δ' εἰς ἄστυ, and this is confirmed by the text.

τῶν μέτρων καὶ τῶν σταθμῶν] These are the subject of a long inscr. in CIA ii 476, early in first century B.C., discussed in Boeckh, *Staatsh.* ii 318—332 Fränkel. The *ἀρχοντες* mentioned in the inscr. are doubtless the μετρονόμοι.

ἐπιμελοῦνται... ὅπως... χρῆσονται] The papyrus has *χρήσονται*. 'Quicumque Codices Graecos paulo diligentius inspexit saepissime vidit librariorum ὅπως et

ὅπως *μη* cum coniunctivi aoristis [primis] coniungere, ubi veteres indicativi futuri posuissent' (Cobet, *Nov. Lect.* 266). Cf. l. 3.

§ 3. σιτοφύλακες] Harpocr. *s.v.* ἦσαν δὲ τὸν ἀριθμὸν ἱ'ε' (ἱ'ε', ἱ' Valesius) μὲν ἐν ἄστει, ε' δ' ἐν Πειραιεῖ. These numbers, as altered by Valesius, seemed to be confirmed by Photius, ἦσαν δὲ τὸν ἀριθμὸν πάλαι μὲν πεντεκαίδεκα, <ί> ἐν ἄστει, ε' δ' ἐν Πειραιεῖ, and were accepted by Boeckh. But the text, which is Harpocraton's authority for his statements, shews that ἱ'ε' must be separated in Photius, as well as in Harpocraton, so that we get 10 in all, 5 in the city and 5 in the Peiraeus. In *Lys.* 22 § 8 (of the σιτοφύλακες), οἱ μὲν τέσσαρες (Bergk, for δύο, a corruption of δ') are contrasted with another member of the board, Anytus. Cf. Boeckh, i 105 Fränkel; Gilbert, i 247.

κληρωτοί] *Lys.* 22 § 16, σιτοφύλακας ἀποκληροῦντε.

νῦν δ' εἴκοσι κτλ.] Photius, ὕστερον δὲ ἅ μὲν ἐν ἄστει, ε' δ' ἐν Πειραιεῖ. Here the total is correct, but the text shews that Photius ought to have said: κ' μὲν ἐν ἄστει, ἱ'ε' δ' ἐν Π.

σίτος ἀργὸς ὄνιος ἔσται δικαίως, ἔπειθ' ὅπως οἱ τε μυλωθοροὶ πρὸς τὰς τιμὰς τῶν κριθῶν τὰ ἀλφίτα πωλήσουσιν καὶ οἱ ἀρτοποιῶλαι πρὸς τὰς τιμὰς τῶν πυρῶν τοὺς ἄρτους, καὶ τὸν σταθμὸν ὄγοντας ὅσον ἂν οὗτοι τάξωσιν· ὁ γὰρ νόμος τούτους κελεύει τάττειν.

- 4 ἐμπορίου δ' ἐπιμελητὰς δέκα κληροῦσιν· τούτοις δὲ προσ- 15
τέτακται τῶν τ' ἐμπορίων ἐπιμελεῖσθαι, καὶ τοῦ σίτου τοῦ κατα-
πλέοντος εἰς τὸ Ἀττικὸν ἐμπόριον τὰ δύο μέρη τοὺς ἐμπόρους
ἀναγκάζειν εἰς τὸ ἄστυ κομίζειν.

52. καθιστάσι δὲ καὶ τοὺς ἑνδεκα κληρωτοὺς, ἐπιμελησομέ-

12 πωλήσουσι H-L.

17 ΣΙΤΙΚΟΝ K, K-W, H-L: 'Αττικὸν ex Harp. Torr; ἀστικὸν quondam proposui coll. Bekk. An. 255, 208, 284, 456; accepit B: nunc unice verum arbitrator 'Αττικὸν, etenim σιτικὸν et ἀστικὸν oculi errore e proximis verbis σίτου et ἄστυ videntur irrepisse.

LII 1 <τοὺς> ἐπιμελησομένους Rutherford, H-L; cf. Heracl. in Testimoniis.

§ 4 *Harp. ἐπιμελητὴς ἐμπορίου... Ἀρ. "ἐμπορίον δ' ἐπιμελητὰς — τοῦ σίτου τοῦ καταπλέοντος εἰς τὸ Ἀττικὸν ἐμπόριον — κομίζειν" (Frag. 409^a, 449^a). Bekk. An. 255, 22: ἐμπόριον ἄρχοντες ἦσαν κληρωτοί, δέκα τὸν ἀριθμὸν, ἐκάστου ἔτους καθιστάμενοι, οἱς προστέτακτο τῶν ἐμπορίων ἐπιμελεῖσθαι, καὶ τοῦ σίτου τοῦ καταπλέοντος εἰς τὸ ἐμπόριον τὸ ἀστικὸν τὰ δύο μέρη τοὺς ἐμπόρους ἀναγκάζειν (reliqua propter δημοσιολευτὸν omissa)...ib. 208, 26 ἀστικὸν ἐμπόριον· ὅπου οἱ ἀστοὶ ἐμπορεῖονται. ἦν δὲ καὶ ἄλλο ἑστικὸν, ὅπου οἱ ἑξένοι (cf. 284, 6; 456, 3).

TESTIMONIA. LII 1 Heraclidis epitoma; Rose, Frag. 611, 8: ὁμοίως δὲ "καθιστάσι καὶ τοὺς ἑνδεκα" τοὺς (secl. K-W; sed fortasse e κληρωτοὺς exortum) "ἐπιμελησομένους τῶν ἐν τῷ δεσμοτηρίῳ." Pollux viii 102: οἱ ἑνδεκα: εἰς ἀφ' ἐκάστης φυλῆς ἐγένετο καὶ γραμματεὺς αὐτοῖς συνηριθμαῖο... ἐπεμελοῦντο δὲ "τῶν ἐν τῷ δεσμοτηρίῳ" καὶ ἀπήγον κλέπτας ἀνδραποδιστὰς λωποδύτας, εἰ μὲν ὁμολογοῦεν, θανατώσονται, εἰ δὲ μή, εἰσάγοντες εἰς τὰ δικαστήρια, κἂν ἀλώσιν, ἀποκτενοῦντες. Bekk. An. 310, 14: οἱ ἑνδεκα τοὺς κλέπτας καὶ τοὺς λωποδύτας καὶ τοὺς ἀνδραποδιστὰς ὁμολογοῦντας μὲν ἀποκτενύουσιν, ἀτιλέγοντας δὲ εἰσάγουσιν "εἰς τὸ δικαστήριον" (Frag. 429^a). Phot.

σίτος ἀργός] 'unprepared corn,' Hippocr. *Vel. Med.* 12, πυροὶ ἀργοί. The position of ἀργός (after, instead of before, σίτος) is defended by *Eth. Nic.* vi 4, 2, ἡ μετὰ λόγου ἔξις πρακτικὴ ἑτερόν ἐστι τῆς μετὰ λόγου ποιητικῆς ἕξεως, quoted by Dr Jackson to prove that part of a complex epithet may be placed after the article and substantive. Mr Newman adds *Pol.* 1252 b 27, ἡ ἐκ πλειόνων κωμῶν κοινωνία τέλειος πόλις ἦδη.

§ 4. ἐμπορίου... ἐπιμελητὰς] All that is known of these officials apart from the statement in the text, is that they were the proper authority to receive legal notice (φάσις) of any infringement of the law forbidding citizens and resident aliens lending money on the security of a cargo bound for any other port than that of Athens. Dem. 35 §§ 50, 51, ἐάν τις... χρήματα δανείσῃ εἰς ἄλλο τι ἐμπόριον ἢ τὸ Ἀθηναίων; 58 §§ 8, 9 (Gilbert, i 248). Cf. Meier and Schömm, p. 98 Lips. The ἐμπόριον extended over the greater part of the east shore of the harbour of the

Peiraeus; Wachsmuth, *Stadt Athen*, ii 96—esp. 114.

ἐμπόριον] After τοῦ σίτου the epithet σιτικὸν (which is first found in Polybius) is redundant. The variant Ἀττικὸν in Harpocration's quotation of this passage is supported by Dem. 34 § 36, Ἀθήναζε εἰς τὸ Ἀττικὸν ἐμπόριον σιτηγῶν, and § 37, εἰ τις... ἄλλοσε ποὶ σιτηγῆσαιεν ἢ εἰς τὸ Ἀττικὸν ἐμπ., 35 § 28 τοῦ ὑμετέρου ἐμπορίου (quoted by Mr Torr). ἀστικὸν is suggested by Bekk. *Anecd.* 208, ἀστικὸν ἐμπόριον· ὅπου οἱ ἀστοὶ ἐμπορεῖονται. ἦν δὲ καὶ ἄλλο ἑστικὸν, ὅπου οἱ ἑξένοι, cf. 255, 284, 456. One of the parts of the ἐμπόριον in the Peiraeus was the στοὰ ἀλφειόπωλις, also called the μακρὰ στοὰ (Dem. 34 § 37, cf. Thuc. viii 90, 5, Wachsmuth, *u. s. p.* 101); but I can find no authority for applying the epithet σιτικὸν to the ἐμπόριον, or to any part of it, at or before the date when the text was written.

LII § 1. τοὺς ἑνδεκα] c. 7 § 3. Schömann, p. 414; Gilbert, i 243; *Dict. Ant.* i 942.

νους τῶν ἐν τῷ δεσμοτηρίῳ, καὶ τοὺς ἀπαγομένους κλέπτας καὶ τοὺς ἀνδραποδιστὰς καὶ τοὺς λωποδύτας, ἂν μὲν [ὁμολογῶ]σι, θανάτῳ ζημιώσοντας, ἂν δ' ἀμφισβητῶσιν, εἰσάξοντας εἰς τὸ δικαστήριον, κὰν μὲν ἀποφύγωσιν, ἀφήσοντας, εἰ δὲ μὴ, τότε θανατώσοντας, καὶ τὰ [ἀ]πογραφόμενα χωρία καὶ οἰκίας εἰσάξοντας εἰς τὸ δικαστήριον, καὶ τὰ δόξαντα δ[ημ]όσια εἶναι παραδῶσοντας τοῖς πωληταῖς, καὶ τὰς ἐνδείξεις εἰσάξοντας· καὶ γὰρ ταύτας εἰσάγουσιν οἱ ἔνδεκα. εἰσάγουσι δὲ τῶν ἐνδείξεων τινὰς καὶ οἱ θεσμο-
10 βέται.

κληροῦσι δὲ καὶ εἰσαγωγέας πέντε ἄνδρας, οἱ τὰς ἐμμήνους 2

2 <κακούργους, τοὺς τε> κλέπτας, K-W, coll. Etym. Mag. 3 τοὺς bis delent H-L. 3, 4 ἐὰν bis H-L. 4 ΖΗΜΙΩΘΗCONΤΑCΕΝΔ CON K.

ἡγεμονία δικαστηρίου... τοῖς ἔνδεκα ὄσαι ληστὰς καὶ λωποδύτας καὶ ἀνδραποδιστὰς εἰσάγουσι. Etym. M. 338, 31: κληρωτοὶ ἄρχοντες ἦσαν οὗτοι, προσηκόντες τοῦ δεσμοτηρίου· καὶ τοὺς ἀπαγομένους κακούργους ἐπὶ θάνατον παραλαμβάνοντες ἐξημίου· τοὺς δὲ ἀμφισβητοῦντας εἰσήγον "εἰς τὸ δικαστήριον" καὶ τὸ γνωστὸν περὶ αὐτῶν ἔπραττον. εἰσήγον δὲ "καὶ τὰ ἀπογραφόμενα χωρία <καὶ Schleusner> οἰκίας" καὶ τὰ "δημόσια εἶναι" δόξαντα παρεδίδουν τοῖς πολίταις (πωληταῖς Schleusner). εἰσήγον δὲ ἐνίας ἐνδείξεις. Bekk. An. 250, 4: ...καὶ τοὺς ἀγομένους ἐπὶ κακουργήμασι παρελαμβάνον κλέπτας καὶ ἀνδραποδιστὰς καὶ φονεῖς. καὶ τοὺς μὲν ὁμολογούντας θανάτῳ ἐξημίου, τοὺς δὲ ἀμφισβητοῦντας εἰσήγον εἰς δικαστήριον. Schol. Arist. *Vesp.* 1108: ἡ τῶν ἔνδεκα ἀρχὴ τοὺς μὲν ὁμολογούντας καὶ ἀνδραποδιστὰς καὶ λωποδύτας θανάτῳ ἐκόλαζον, τοὺς δὲ ἀνουμένους εἰς δικαστήριον εἰσήγον. εἰσήγον δὲ καὶ τὰς ἐνδείξεις. Schol. Patm. Dem. p. 11, 16, Sakkelion; Schol. Lucian. iv 170 Jacobitz.

§ 2 Pollux viii 101: εἰσαγωγεῖς οἱ "τὰς ἐμμήνους δίκας" εἰσάγοντες· ἦσαν δὲ

ἀπαγομένους κλέπτας... ἀνδραποδιστὰς... λωποδύτας] Isocr. *Antid.* § 90, τοῖτον ἀπαγαγὼν ἀνδραποδιστὴν καὶ κλέπτην καὶ λωποδύτην. Meier and Schömann p. 273—6, Lips. Pollux ἀνδραποδιστῆς· ὁ τὸν ἐλεύθερον καταδουλούμενος ἢ τὸν ἀλλότριον οἰκίαν ὑπαγόμενος.

κλέπται, ἀνδραποδισταὶ καὶ λωποδύται came under the general heading of κακούργοι; cf. [Dem.] 35 *Lacr.* 47, ταχυρῶν καὶ κλέπτας καὶ τοὺς ἄλλους κακούργους τοὺς ἐπὶ θανάτῳ οὗτοι (sc. οἱ ἔνδεκα) εἰσάγουσιν, *Androt.* §§ 26—28. Cf. Meier and Schömann p. 86 Lips.

ἂν μὲν ὁμολογῶσι κτλ.] Aeschin. i § 113, οἱ δὲ νόμοι κελεύουσιν τῶν κλεπτῶν τοὺς μὲν ὁμολογούντας θανάτῳ ζημιοῦσθαι, τοὺς δ' ἀρνούμενους κρίνεσθαι, and Dem. in *Timocr.* § 65, τῶν... κακούργων τοὺς ὁμολογούντας ἀνευ κρίσεως κολάζειν οἱ νόμοι κελεύουσιν. Schol. Arist. *Vesp.* 1108, ἡ τῶν ἔνδεκα ἀρχὴ τοὺς μὲν ὁμολογούντας καὶ ἀνδραποδιστὰς καὶ λωποδύτας θανάτῳ ἐκόλαζον, τοὺς δὲ ἀρνούμενους εἰς δικαστήριον εἰσήγον. These passages (quoted in *Class. Rev.* v 224) prove the incorrectness of the interpretation suggested in the *Saturday Review*, March 21,

1891, p. 359 'if (the Eleven) are *unanimous*... or if they *disagree*.' See also the passages quoted in the *Testimonia*.

θανάτῳ] Dem. 4 § 47, τὸν ἀνδραποδιστῶν καὶ λωποδυτῶν θάνατον... κακούργου μὲν γὰρ ἐστὶ κριθέντ' ἀποθανεῖν.

τὰ ἀπογραφόμενα χωρία κτλ.] Our knowledge of this part of the duties of the Eleven has hitherto been derived from the Etym. Magn. 338, 35, which is obviously quoted from the text: see *Testimonia*. Meier and Schömann, p. 88 Lipsius.

πωληταῖς] 47 § 2. τὰς ἐνδείξεις] Schol. Arist. *Vesp.* 1108, εἰσήγον δὲ καὶ τὰς ἐνδείξεις. Bekker, *Anecd.* 250, 11, τῶν δὲ ἐνδείξεων εἰσέφερον εἰς δικαστήριον ἄς μὲν οἱ ἔνδεκα, ἄς δὲ οἱ θεσμοθέται. Etym. Mag. 338, 39, εἰσήγον δὲ ἐνίας ἐνδείξεις (Meier and Schömann, p. 87 Lipsius). The text does not enable us to distinguish between the ἐνδείξεις under the control of the Eleven, and those under that of the Thesmothetae. The general statement, καὶ γὰρ ταύτας εἰσάγουσιν οἱ ἔνδεκα, is modified in the following sentence.

§ 2. εἰσαγωγέας] These officials are

εἰσάγουσι δίκας, δυοῖν φυλαῖν [εἴ]καστος· εἰσὶ δ' ἔμμηνοι προικός, εἰάν τις ὀφείλων μὴ ἀποδοῖ, κἂν τις ἐπὶ δραχ[μ]ῇ δανεισάμενος ἀποστερή, κἂν τις ἐν ἀγορᾷ βουλόμενος ἐργάζεσθαι δανείσῃται 15 παρὰ [τι]νος ἀφορμῇ· ἔτι δ' αἰκείας καὶ ἐρανικαὶ καὶ κοινωνικαὶ καὶ ἀνδραπόδων καὶ ὑποζυγίων καὶ τριηραρχίας καὶ τραπεζιτι-

13 ΑΠΟΔΩΙ (Κ) cf. Lys. 30 § 22 δύο τέλαντα ἀποδοῦναι: ἀποδιδῶ Blass, Kontos, K-W, H-L; cf. Dem. 34 § 13 οὐδ' ἀποδίδωσι τὸ δάνειον. ἐπὶ δραχμῇ: ὑπὲρ δραχμῇ H-L. 14 ἐν: ΕΔΝ. 15 ΑΙΚΕΙΑΣ (Κ, H-L, Β): αἰκίας K-W. ΕΡΑΝΙΚΑΣ—ΚΟΙΝΩΝΙΚΑΣ (Κ', Β): ἐρανικαί—κοινωνικαί Bury, K-W, H-L, Κ'. 'Desiderantur autem ἐμπορικαί, cf. Poll.' (Β). 16 ΤΡΙΗΡΑΡΧΙΑΣ (Κ, H-L, Β): τριηραρχικαί Bury (K-W). ΤΡΑΠΕΖΙΤΙΚΑΣ (Β): τραπεζιτικαί Bury, K-W, H-L, Κ'.

προικός, ἐρανικαί, ἐμπορικαί. Hesych. εἰσαγωγή (εἰσαγωγῆς = εἰς Scaliger): ἀρχή 'Ἀθήνησι τῶν τὰ ἐγκλήματα (leg. ἔμμηνα K-W) εἰσαγόντων (cf. Schol. Dem. Mid. § 3).

mentioned twice in Pollux viii 93, ἀρχῆς κληρωτῆς ὄνομα, and 101, εἰσαγωγαῖς οἱ τὰς ἔμμηρους δίκας εἰσάγοντες, ἦσαν δὲ προικός, ἐρανικαί, ἐμπορικαί. But their existence was doubted by Meier. These doubts were dispelled in 1869 by the publication of an inscr. of B.C. 425/4 relating to the superintendence of judicial proceedings connected with the assessment of the tribute; CIA i 37, 47, ἐπὶ τῶν εἰσαγωγῶν (Meier and Schömann, p. 94 Lips.; Gilbert, i 396). The text shews that their number was five; not ten, as had been conjectured.

Pollux is mistaken in placing ἐμπορικαί δίκαι under the control of the εἰσαγωγαῖς. These were under the Thesmothetae as is proved by passages in the Orators, and by c. 59 § 5, quoted elsewhere by Pollux himself. In CIA i 38, frag. f, certain ἐπιμεληταί are appointed to attend to cases of delay in the payment of tribute, οἱ δὲ ἐπιμεληταί εἰσαγόντων ἔμμηνα ἐς τὸ δικάστηριον, thus shewing that at that time (probably shortly after 431 B.C.) there were some ἔμμηροι δίκαι not under the care of the εἰσαγωγαῖς (Gilbert, i 358).

τὰς ἔμμηρους—δίκας Lawsuits which had to be decided within a month (Meier and Schöm. p. 906 f.). They are first mentioned in B.C. 425/4, CIA i 38 (quoted in last note). The text mentions several varieties of such lawsuits that are omitted by Pollux.

προικός] actions for restitution of dowry. (1) If the husband divorced his wife, he was bound to return the dowry or to pay interest at the rate of 18 per cent. per annum (Dem. Aph. i 17, Nearc. 52). The κύριος might enforce these claims by a προικός δίκη (Isaeus 3 §§ 9, 78). (2) A similar action might be brought against the heirs who kept a widow out of her

rights. The δίκαι προικός in the text are limited by the definition in the next clause, εἰάν τις ὀφείλων μὴ ἀποδοῖ.

κἂν τις—ἀποστερή] The benefit of the expeditious process for recovery of debts is here limited to creditors who are satisfied with what in Athens was regarded as the moderate rate of 12 per cent. (Dem. Aphob. i 23, 35; Aesch. Ctes. 104; cf. Boeckh, i 156 Fränkel). Those who charge higher rates, such as 16, 18 or even 36 per cent., are excluded from this privilege. Lipsius in *Leipzig Verhandlungen*, 1891, p. 57 n.

ἀφορμῇ] 'capital.' The speech of Dem. pro Phormione is a παραγραφή to a δίκη ἀφορμῆς. The text refers to the case of a small tradesman setting up business in the market-place and refusing to repay the capital he had borrowed for the purpose.

αἰκείας] Meier and Schöm. p. 647 f. Lips. About B.C. 346/5, according to Dem. c. Pantanetum 37 § 33, the tribunal in such cases was the Forty; cf. Schol. Plat. Rep. 464 E. The text implies that the tribunal had been changed.

ἐρανικαί] lawsuits for the recovery of friendly loans, or for the decision of disputes between various members of an ἔρανος (Meier and Schöm. p. 637—643 Lips.).

κοινωνικαί] suits against corporations (Meier and Schömann, p. 767 Lips.). In Dem. 14 § 16 κοινωνικά probably means property held by corporations (ib. p. 602, Lips. note 321).

ἀνδραπόδων] Dem. Callicl. 55 §§ 31, 34 (Meier and Schömann, p. 766). By the law of Solon quoted in Lys. c. Theonnest. i 19, (the owner was liable) οἰκῆος καὶ δοῦλης βλάβην ὀφείλειν, cf. Plat. Leg. 936 D. On ὑποζυγίων κτλ. see next page.

καί. οὗτοι μὲν οὖν ταύτας δικάζουσιν ἐμμήνους εἰσάγων[τε]ς, οἱ δ' 3 ἀποδέκται τοῖς τελώναις καὶ κατὰ τῶν τελωνῶν, τὰ μὲν μέχρι δέκα δραχμῶν ὄντες κύριοι, τὰ δ' ἄλλ' εἰς τὸ δικαστήριον εἰσάγοντες 10 ἐμμηνα.

53. κληροῦσι δὲ καὶ τετταράκοντα, τέτταρας ἐκ τῆς φυλῆς ἐκάστης, πρὸς οὓς τὰς ἄλλας δίκας λαγχάνουσιν· οἱ

18 δέκα <(=δραχμῶν).

LIII 1 <τοὺς> τετταράκοντα K-W.

1—2 EK THC ΦΥΛΗΣ (casu obliteratum)

ΦΥΛΗΣ

ΕΚΑΣΤΗΣ

ἐξ ἐκάστης φυλῆς K¹; ἐκ τῆς φυλῆς ἐκάστης K-W, H-L, K², B. 2 ἄλλας: ἰδίας Wyse.

§ 3 Pollux viii 97: ἀποδέκται δὲ ἦσαν δέκα, οἱ τοὺς φόρους καὶ τὰς εἰσφορὰς καὶ τὰ τέλη ὑπεδέχοντο, καὶ τὰ περὶ τούτων ἀμφισβητούμενα ἔδικαζον. εἰ δὲ τι μείζον εἴη, εἰσῆγον εἰς δικαστήριον.

LIII § 1 * Harp. κατὰ δήμους δικαστάς....περὶ τῶν κατὰ δήμους δικαστῶν, ὡς "πρότερον μὲν—ἔδικαζον," εἰτα ἐγένοντο τετταράκοντα, εἰσηκεν Ἀρ. ἐν τῇ <Ἀθηναίων addidit Meier> πολιτείᾳ. Pollux viii 101: οἱ δὲ τετταράκοντα "πρότερον μὲν ἦσαν τριάκοντα," οἱ περὶότες κατὰ δήμους τὰ μέχρι δραχμῶν δέκα ἔδικαζον, τὰ δὲ ὑπὲρ ταῦτα τοῖς διαιτηταῖς παρεδίδουσαν. "μετὰ δὲ τῶν τριάντα ὀλιγαρχίαν" μῖσει τοῦ ἀριθμοῦ τοῦ τριάκοντα τετταράκοντα ἐγένοντο. Phot.: κληρωτὴ τις ἦν Ἀθήνησιν ἀρχὴ μ (μετὰ cod.) τὸν ἀριθμὸν, οἱ τὰς ἰδιωτικὰς δίκας ἔδικαζον· ἀλλὰ τὰς μὲν ἔχρι "δέκα δραχμῶν αὐτοτελεῖς" ἦσαν δικάζειν, τὰς δὲ ὑπὲρ ταύτας τοῖς διαιτηταῖς παρεδίδουσαν. Bekk. An. 306, 15: ἀρχὴ τις ἐστὶ κληρωτὴ τεσσαράκοντα τὸν ἀριθμὸν πρὸς οὓς αἱ ἰδία δίκαι ἐλαγχάνοντο καὶ τὰ "μέχρι δέκα δραχμῶν." "τὰ δ' ὑπὲρ τοῦτο τὸ τίμημα τοῖς διαιτηταῖς παραδίδουσαν" (cf. p. 310, 22; Frag. 413², 453³).

l. 16. ὑπο[γυῶν] actions arising out of damage done by beasts of draught or burden. Cf. Solon's law in Plut. Sol. 24; and Plat. Leg. 936 E, ἐὰν ὑποζύγιον ἢ ἵππος (Dinarch. c. Antiph. περὶ ἵππου) ἢ κύνες (Lys. περὶ τοῦ κυνὸς ap. Harpocr. s. v. καρκίνος) ἢ τι τῶν ἄλλων θρεμμάτων σῶνται τὰ τῶν πέλας, κατὰ ταῦτα ἐκτίνων τὴν βλάβην (τὸν δεσπότην). The special case of homicide caused by a ὑποζύγιον ἢ ζῶον ἄλλο τι is considered *ib.* 873 E (*inf.* c. 57 *ad fin.*).

τριηραρχ[ας] The speech delivered by Apollodorus against Polycles, [Dem.] Or. 52, belongs to this class. Polycles failed to join his ship for four months after the official year had expired, and his predecessor Apollodorus had incurred extra expenses for which he sues Polycles.

τραπέζιτικ[ας] In the *Thesaiticus* of Isocr. the banker Pasion is accused of repudiation and forgery.—δίκαι μεταλλικαὶ and ἔμποικαὶ are not included in the list, probably because they came under the ἡγεμονία of the Thesmothetae (Dem. c. Arol. § 12, and *inf.* 59 § 5).

§ 3. δικάζουσιν] i.e. 'have the ἡγεμονία τοῦ δικαστηρίου in these law-suits,' Meier and Schöm. p. 43 Lips. Cf. c. 57 *ad fin.*

ἀποδέκται] c. 48 § 1.

τοῖς τελώναις] e.g. the farmers of the public taxes were allowed to bring a φάσις against any one suspected of defrauding the revenue. They might even arrest him and bring him before a magistrate. Cf. Gilbert, 1335.

LIII § 1. τετταράκοντα] a body of officials instituted by Peisistratus under the name of οἱ κατὰ δήμους δικασταὶ (16 § 5), revived in B.C. 453/2 (26 § 3), and (as stated in the text) increased in number from 30 to 40 after the time of the Thirty tyrants. They are mentioned in Isocr. Antid. 237, ἐν δὲ ταῖς τῶν τετταράκοντα (σανρίων ἀναγκαῖων ἐνείναι) τοὺς τ' ἐν τοῖς ἰδίοις πράγμασιν ἀδικούντας καὶ τοὺς μὴ δικαίως ἐγκαλούντας. In Dem. Pans. 33 we are told that cases of *akleia* and τὰ τῶν βαιῶν came under their jurisdiction. They are described as appointed by lot in Timocr. 112, εἰ μὲν τις ἀγορανόμος ἢ ἀστυνόμος ἢ δικαστὴς κατὰ δήμους κλοπῆς ἐν ταῖς εὐθύναις ἐλάσκειν, ἀνορθωτο πένης καὶ ἰδιώτης καὶ πολλῶν ἀπειροὶ καὶ κληρωτῆς ἀρχὴν ἔρξας. It was only in unimportant cases, where the matter in dispute was not above the value of 10 drachmas, that they were competent to decide on their own authority: other cases they referred,

πρότερ[ον] μὲν ἦσαν τριάκοντα, καὶ κατὰ δῆμους περιιόντες ἐδίκα-
ζον, μετὰ δὲ τὴν ἐπὶ τῶν τριάκοντα ὀλιγαρχία[ν] τετταράκοντα
[Col. 27.]² γεγόνασιν. καὶ τὰ μὲν || μέχρι δέκα δραχμῶν αὐτοτελεῖς εἰσὶ 5
[κρίνει]ν, τὰ δ' ὑπὲρ τοῦτο τὸ τίμημα τοῖς διαιτηταῖς παραδιδόασιν.
οἱ δὲ παραλαβόντες, [ἐ]ὰν μὴ δύνωνται διαλύσαι, γιγνώσκουσι,
κὰν μὲν ἀμφοτέροις ἀρέσκη τὰ γνωσθέντα [καὶ] ἐμμένωσιν, ἔχει
τέλος ἡ δίκη. ἂν δ' ὁ ἕτερος ἐφῇ τῶν ἀντιδίκων εἰς τὸ δικαστήριον,
ἐμβalόντες τὰς μαρτυρίας καὶ τὰς προκλήσεις καὶ τοὺς νόμους εἰς 10
ἐχίνους, χωρὶς μὲν τὰς τοῦ διώκοντος, χωρὶς δὲ τὰς τοῦ φεύγοντος,

3 περιοντες retinent K-W² (et B) coll. Hyper. i 13, 6 et ii 2, 12: περιώτες K,
K-W¹, H-L. 4 ἐπὶ supra versum, non habet Pollux. 7 ΓΙΓΝΩΣΚΟΥΣΙ
γιγνώσκουσι (coll. 54, 7 et Herondae papyro v 21) B: sed cf. Meisterhans, p. 141,
17². 9 εἰς H-L.

§ 2 *Harp. διαιτηταί: ... καὶ εἰ μὲν ἤρεσκε τοῖς ἀντιδίκαις, τέλος εἶχεν ἡ δίκη· εἰ δὲ μὴ,
τὰ ἐγκλήματα καὶ τὰς προκλήσεις καὶ τὰς μαρτυρίας, ἐτι δὲ καὶ τοὺς νόμους καὶ τὰς
ἄλλας πότες ἐκατέρω ἐμβalόντες εἰς καθίσκους καὶ σημερμένοι παρεδίδοντο τοῖς
εἰσαγωγέσι τῶν δικῶν. λέγει δὲ περὶ αὐτῶν Ἀρ. ἐν Ἀθ. πολ. Pollux viii 126: ἡ δ'
ἔφεσις αὐτῶν εἰ εἰς δικαστήριον γένοιτο, εἰς ἐχίνον τὰς ψήφους (sic) ἐμβalόντες ἰδίᾳ
ἐκατέρας τὰς τοῦ φεύγοντος καὶ διώκοντος κατεσημαίνοντο. Bekk. An. 135, 20.

11 *Harp. ἐχίνος: ἐστὶ μὲν ἄγγος τι εἰς ὃ τὰ γραμματεῖα τὰ πρὸς τὰς δίκας ἐτίθεντο...
μνημονεύει τοῦ ἄγγους τοῦτου καὶ Ἀρ. ἐν τῇ Ἀθ. πολ.... Phot. i 240 Naber, ἐχίνος: οἱ
μὲν χαλκοί, οἱ δὲ ἐκ κεράμων· εἰς οὓς καθίσιν οἱ διαιτηταὶ τὰ γραμματεῖα τῶν μαρτυριῶν
ἃ τινες ἐμαρτύρησαν, καὶ κατασημερμένοι μετὰ ταῦτα εἰ ἐγκληθεῖ ἡ δαίτα τοῖς δικασταῖς
ἐπεδίδοντο (fere eadem habet *Schol. Arist. Vesp. 1436, additis τοῦ δ' ἄγγους τοῦτου
καὶ Δημοσθένους μνημονεύουσι καὶ Ἀρ.). Phot. ἐχίνος: καθίσκος τίς ἐστὶ χαλκοῦς, εἰς ὃν
αἱ τε μαρτυρίαι καὶ αἱ προκλήσεις ἔγγραφαι ἐνεβάλλοντο ὑπὸ τῶν δικαζομένων καὶ κατε-
σημαίνοντο ἵνα μηδεὶς κακουργήσῃ περὶ τὰ ἐμβalλόμενα (fere eadem Etym. M.; καὶ
κατεσημαίνετο ὁ ἐχίνος, ἵνα μηδεὶς κακουργήσῃ μετὰ τὸ ἀπαεῖ ἐμβalλέσθαι, Bekk. An.
258, 6). Cf. Frag. 415², 455².

in the first instance, to the arbitrators, and, if necessary, to the law-courts. Cf. Gilbert, i 358.

Most of the cases concerned with the rights of property were supposed by Meier to come under the jurisdiction of the Thesmothetae. Lipsius, in his revised edition of Meier and Schömann, p. 93, (1) assigns them to the Forty; he also (2) identifies the δικασταὶ κατὰ δῆμους with the δικασταὶ concerned with the several tribes (ib. p. 90 n.). Thus they could act in their several divisions of four for each of the ten tribes. Lastly, (3) he holds that after a time they ceased to go on circuit and held their court in Athens. The first of these opinions is opposed by Caillemer in Daremberg and Saglio, *Dict. Ant.* iii 200 f.; but all three are confirmed by the text. (1) is supported by τὰς ἄλλας δίκας, whereby they have jurisdiction over all causes not assigned to the Eleven, the εἰσαγωγεῖς and ἀποδέκται. (2) by c. 48 § 5, οἱ τὴν φυλὴν εἰσάγοντες, 58 § 2, οἱ τὴν φυλὴν δικάζοντες, and *inf.* § 2, οἱ τὴν φυλὴν τοῦ

φεύγοντος δικάζοντες.

λαγχάνουσιν] sc. 'the suitors.'

§ 2. μέχρι δέκα δραχμῶν] In B.C. 445/4 (CIA i 29 and iv p. 12) we have mention of a court probably consisting of thirty members, appointed by lot from the κληροῖχοι of Hestiaia and Ellopia and competent to decide cases of this kind. In *Pol.* 1300 b 23 and 32, Ar. approves of the institution of two separate courts, according to the value of the matter in dispute: matters that are worth little more than five drachmas need not be referred εἰς δικαστῶν πλῆθος.

αὐτοτελεῖς] 3 § 5 *inf.*

διαιτηταῖς] Meier and Schöm. pp. 48, 1009—1015; Smith, *Dict. Ant.* s.v. The text shews that all private causes (except the ἐμμενοι δίκαι, c. 52) were in the first instance tried by the διαιτηταί.

ἐμβalόντες—ἐχίνους] Dem. 45 § 17, ἐχρην αὐτὸ τὸ γραμματεῖον εἰς τὸν ἐχίνον ἐμβalεῖν and ib. 57, also 48 § 48, ἀντι-γραφα (συνθηκῶν) ἐμβalέσθαι εἰς τὸν ἐχίνον. μαρτυρίας, Meier and Schöm. p. 873 ff. Lips.; προκλήσεις, ib. 871 ff.

καὶ τούτους κατασημηνάμενοι, καὶ τὴν [γνώ]σιν τοῦ διαιτητοῦ
 γεγραμμένην ἐν γραμματείῳ προσαρτήσαντες, παραδιδόασιν τοῖς
 τέτταρσι τοῖς τὴν φυλὴν τοῦ φεύγοντος δικάζουσιν· οἱ δὲ παρα- 3
 15 λαβόντες εἰσάγουσιν εἰς τὸ δικαστήριον, [τὰ μὲν ἐ]ντὸς χιλίων εἰς
 ἓνα καὶ διακοσίους, τὰ δ' ὑπὲρ χιλίας εἰς ἓνα καὶ τετρακοσίους.
 οὐκ ἔξ[ε]στ[ι] δ' οὐ[τε] νόμοις οὔτε προκλήσεσι οὔτε μαρτυρίαις ἀλλ'
 ἢ ταῖς παρὰ τοῦ διαιτητοῦ χρήσθ[αι] ταῖς εἰς] τοὺς ἐχίνους ἐμβε-
 βλημέναις. διαιτηταὶ δ' εἰσὶν οἱς ἂν ἐξηκοστὸν ἔτος ᾗ. τοῦτο δὲ 4

12 [γνώ]σιν τοῦ B; [κρ]ίσιν τοῦ K, H-L; [κρίσ]ιν <τὴν> τοῦ K-W; in ectypo fere nihil dispici potest; γνῶσιν defendit Dem. 40 § 42 κατὰ γνῶσιν διαιτητοῦ, 21 § 92 διαιτητοῦ γνῶσιν, 33 § 22 γνῶσιν—διαιτή, 36 § 17 τῆς γνῶσεως. 12 ΤΟΙΣΔΕ ? τοῖς δ' K¹, B: τοῖς ἐπὶ ? K¹; πάλιν K-W, -ν εὐθὺς H-L. 14 Τ(ΗC)ΦΥΛ(ΗC) K¹: τὴν φυλὴν Wyse, K-W, H-L, K², B, coll. c. 48 § 5, c. 58 § 2.

§ 3 Pollux viii 48 infra laudatus.

§ 4 ἐξηκοστὸν ἔτος. Cf. Bekk. An. 235, 3, infra laudatum, § 5 τῆς ἡλικίας κτλ.

κατασημηνάμενοι, cf. 39 § 17, σεσημασμένων τῶν ἐχίνων, 47 § 16, ἐσημανῆσαν οἱ ἐχῖνοι (and id. προκλήσεως ἐμβεβλημένης σοι καὶ μαρτυρίας), and 54 § 27, τῷ μὴ σημανθῆναι τοὺς ἐχίνους.

In Meier and Schöm. p. 904 Lips. it is assumed that the ἐχῖνος was used for the reception of documents handed in at the ἀνάκρισις. Thus Dem. 28 § 1, ἐντεβλέτο τηρήσας τὴν τελευταίαν ἡμέραν, is there referred to the 'last day of the ἀνάκρισις.' Mr Wyse suggests that there is no reason why it should not refer to the arbitration. It may be doubted whether in the Attic orators there is a single certain example of ἐχῖνος except in connexion with arbitration. To the passages above quoted may be added 39 §§ 22, 37; 34 § 46; 40 §§ 21, 28, 58; 45 §§ 8, 20, 31, 57, 58, 61; 49 §§ 19, 55, 65; 54 § 30. There is nothing in the lexicographers which refers to the ἀνάκρισις before the presiding magistrate: Harp. s. v. ἐχῖνος (=Phot. i, Suid. i); Schol. Arist. Vesp. 1436 where οἱ διαιτηταὶ are named, (=Phot. 3, ἐχῖνοι—ἐπεδίδουν, and Suid. s. v. ἐχῖνοι); Photius, ἐχῖνος 2 (=Lex Seg. 258, 3, with trifling variants; cf. Etym. Mag. p. 404, 54); Harp. s. v. διαιτηταὶ; Pollux viii 127; Schol. Patm. Dem. 48 § 48.—It is clear from col. 31 l. 11 that Hesychius in ἐμπήκτησι does not refer to the ἀνάκρισις as supposed in Meier and Schöm. l. c. (Wyse).

προσαρτήσαντες] used in several passages of Hist. An.

τοῖς τὴν φυλὴν τοῦ φεύγοντος δικάζουσι] 48 § 5; 58 § 2. Probably those of the Forty who belonged to the same

tribe as the defendant.

§ 3. ἐντὸς χιλίων κτλ.] The number of the δικασταὶ varies with the value of the matter in dispute: for property under 1000 dr. the court consists of 201 δικασταὶ; for property above that amount, of 401. Pollux, viii 48, says of cases of φάσις: εἰσάγετο δὲ τὰ μὲν ἐντὸς χιλίων εἰς ἓνα καὶ διακοσίους, τὰ δὲ ὑπὲρ χιλίας εἰς ἓνα καὶ τετρακοσίους. This statement ultimately comes from the text which shews that the distinction was not confined to cases of φάσις. This conclusion had already been drawn by Heffter, Att. Gerichtsverf. p. 55, and Fränkel, Att. Geschworenengerichte, p. 102. From Dem. c. Mid. 223 it has been inferred that the round number of 200 was the smallest number for a δικαστήριον: ἂν τε διακοσίους ἂν τε χιλίους ἂν θ' ὁπόσους ἂν ἡ πόλις καθίσῃ (Meier and Schöm. p. 170 Lips.).

οὐκ ἔξ[ε]στ[ι] κτλ.] In Dem. 45 § 57 Apollodorus charges Stephanus with having stolen an important deposition which the speaker expected to find in the ἐχῖνος. Cf. Meier and Schöm. p. 904 Lips.

§ 4. ἐξηκοστὸν ἔτος] i. e. on attaining the age of 59. As explained below, there was a cycle of 42 ἐπώνυμοι τῶν ἡλικιῶν. All who attained the age of 18 in any given year had an ἐπώνυμος assigned to them. After completing 41 years, during which they were liable to be called out on military duty, they reached the age of 59 and then served as διαιτηταὶ for one year,—their 'sixtieth year.' The ἐπώνυμος assigned to the ἐφηβοὶ in each year was the ἐπώνυμος of the διαιτηταὶ who had held office in the previous year.

δῆλον [ε]κ τῶν ἀρχόντων καὶ τῶν ἐπωνύμων. εἰσὶ γὰρ ἐπωνύμοι 10
δέκα μὲν οἱ τῶν φυλῶν, δύο δὲ καὶ τετταράκοντα οἱ τῶν ἡλικιῶν
οἱ δ' ἔφηβοι ἐγγραφόμενοι πρότερον μὲν εἰς λελευκωμένα γραμμα-
τεῖα ἐνεγράφοντο, καὶ ἐπεγράφοντο αὐτοῖς ὁ τ' ἀρχων ἐφ' οὗ
ἐνεγράφησαν καὶ ὁ ἐπωνύμος ὁ τῷ προτέρῳ [ἔτει] δεδαιτηκῶς, νῦν
δ' εἰς στήλην χαλκῇ ἀναγράφονται, καὶ ἴσταται ἡ στήλη πρὸ τοῦ 25
5 βουλευτῆριον παρὰ τοὺς ἐπωνύμους. τὸν δὲ τελευταῖον τῶν

23 <ο> ἐγγραφόμενοι quondam Blass (H-L); οἱ etiam Harp. omisit. ΕΝΓΡΑΦ.
24 ὁ ἐπωνύμος: ἐπώνυμος Harp. προτέρῳ (item Harp.): πρότερον K-W,
Poland, B. ΔΕΔΑΙΤΗΚΩΣ (edd.): δεδεικτῶς (Harp. codices plerique), δεδιτη-
κῶς Aldum secutus Dind., δεδιφικῶς Rose; ἐπιδεδημηκῶς Photius et Suidas. 26 π'
(sc. περὶ) fortasse per errorem pro π' (sc. παρὰ) K. περὶ dubitanter retinet K; παρὰ
K-W, H-L, B.

20—25. *Harp. στρατεία ἐν τοῖς ἐπώνυμοις... τίς ἦν ἡ ἐν τοῖς ἐπώνυμοις στρατεία
δεδήλωκεν Ἄρ. ἐν Ἄθ. πολ. λέγων "εἰσὶ γὰρ ἐπωνύμοι—ἐνεγράφησαν (codd., item Phot.
Suid., correxit Bekk.) καὶ ἐπώνυμος ὁ (καὶ ὁ ἐπώνυμος ὁ Aldum secutus Dind.; ὁ
ἐπώνυμος καὶ ὁ Rose) τῷ προτέρῳ ἔτει δεδιτηκῶς (Aldum secutus Dind.; δεδεικτῶς G,
-ως BD, δὲ δεικτῶς AC; τῷ προτέρῳ ἐπιδεδημηκῶς Phot. et Suid.; δεδιφικῶς Rose,
A. P. p. 456) νῦν δὲ εἰς τὴν βουλὴν ἀναγράφονται." Cf. Frag. 429^a, 469^a.

ἐπωνύμοι τῶν φυλῶν] 21 § 6.

τῶν ἡλικιῶν] It has been sometimes
supposed that the archon ἐπώνυμος of the
year, in which a citizen reached the age of
military service, was deemed to be the
ἐπώνυμος of that citizen and of all who
came of age in the same year. Thus the
42 ἐπώνυμοι would be the series of 42
archons corresponding to the 42 groups
of citizens who were at any given time
between the ages of 18 and 60 (Schö-
mann, *Anf.* p. 423; Gilbert, i 300). But
in the text the ἀρχοντες are contrasted
with the ἐπώνυμοι, and the latter divided
into ἐπώνυμοι τῶν φυλῶν and τῶν ἡλικιῶν.
As the ἐκ τῶν φυλῶν derived their names
from ten of the Attic heroes, selected out
of 100 (21 § 6), the ἐκ τῶν ἡλικιῶν were
presumably selected out of the remaining
90. The period of military service was in-
cluded within a cycle of 42 years, each of
them probably bearing the name of one of
the Attic heroes. When a youth attained
the age of 18, he was enrolled under the
archon of the year and also under the epon-
ymous hero under whom those of the
citizens who had just completed their 42
years had been originally entered. This
is Mr Kenyon's view and it appears to
be substantially correct, except that the
42nd year of service was really devoted
to the duties of the *δαιτηγαί* which occu-
pied the sixtieth year of the citizen's life
(ἐξηκοστὸν ἔτος). It was when he reached
the age of 59 (not 60, as Mr Kenyon

says) that the citizen served as an arbi-
trator.

The lists were unfortunately drawn up
on perishable material, at first on wood
and afterwards on bronze, and no ex-
ample of the στήλη χαλκῇ of the writer's
time has survived. Had marble been
used instead, the result might have been
different, and an interesting question
might have been conclusively decided.
We have indeed several lists of *δαιτηγαί*,
all on marble; but these are for another
purpose. Thus for B.C. 325/4 we have
no less than 103 names with the super-
scription: *δαιτηγαί οἱ ἐπὶ Ἀντικλῆους*
ἀρχοντος ἀνέθεσαν στεφανωθέντες ὑπὸ τοῦ
δήμου (CIA ii 943); also (for an un-
known year) a list of 88 names (*ib.* 944);
and there are lists of a few such names
for B.C. 330 and 329 (*ib.* 941—2). But
none of these preserve any record of an
ἐπώνυμος τῆς ἡλικίας.

λελευκωμένα] 47 §§ 2, 4.

ὁ ἐκ δ—δεδαιτηκῶς] A brief expres-
sion for the eponymus of the citizens who
served as *δαιτηγαί* for the previous year.

δεδαιτηκῶς] In classic Attic this verb
usually has the double augment in the pf.
and plpf., e.g. pf. Dem. 33 § 31 δεδή-
γηκα, 21 § 85 καταδεδηγήκει (Dind.) or
καταδεδ- (Bekk.); Thuc. vii 77 δεδιήτημαι,
Dem. 21 §§ 85, 96 ἀπο-, 55 § 61 κατα-;
plpf. ἐδεδήγητο, Thuc. i 132 ἐξ- (Veitch).

βουλευτηρίου κτλ.] Paus. i 5, 1, τοῦ β...
πλησίον θόλος ἐστὶ καλουμένη... ἀνωτέρω

ἐπωνύμων λαβόντες οἱ [τεττ]αράκοντα διανέμουσιν αὐτοῖς τὰς
 διαίτας, καὶ ἐπικληροῦσιν ᾧς ἕκαστος διαιτῆσει· καὶ ἀναγκαῖον ᾧς
 30 γένηται διαιτητῆς τῆς ἡλικίας αὐτῷ καθηκούσης, ἄτιμον εἶναι
 κελεύει, πλὴν ἐὰν τύχῃ ἀρχὴν ἀρχ[ω]ν τ[ι]ν[α] ἐν ἐκείνῳ τῷ ἐνιαυτῷ
 ἢ ἀποδημῶν. οὗτοι δ' ἀτελεῖς εἰσὶ μόνοι. ἔστιν δὲ καὶ εἰσαγ- 6
 γέλλειν εἰς τοὺς διαιτητάς, ἐὰν τις ἀδικηθῇ ὑπὸ τοῦ διαιτητοῦ, καὶ
 35 καὶ τούτοις. χρώνται δὲ τοῖς ἐπωνύμοις καὶ πρὸς τὰς στρατείας, 7
 καὶ ὅταν ἡλικίαν ἐκπέμπωσι, προγράφουσιν ἀπὸ τίνος ἀρχοντος
 καὶ ἐπων[ύμου μ]έχρι τίνων δεῖ στρατεῦσθαι.

29 διαίτας (hiatu admissio) secl. K-W. ἐὰν H-L. 31 τὴν ἐν K-W, K², B;
 ἄλλῃ K¹, τις ἐν Burnet (H-L). 33 ΔΙΑΙΤΗΤΑΣ (K-W, K², B): δικαστὰς Harp. (K¹,
 et H-L qui alioquin εἰς τοὺς ἄλλους διαιτητάς expectarent). 36 Δ<: ἀπὸ Harp.
 (K, K-W, H-L). 37 ΤΙΝΩΝ: τινος Harp.

§ 5 ἐπικληροῦσιν—ἄτιμον εἶναι. Pollux viii 126 infra exscriptus.

§ 6 Harp. εἰσαγγεῖα infra exscriptus.

δὲ ἀνδράστες ἐστῆκασιν ἡρώων, ἀφ' ὧν
 Ἀθηναῖοι ὕστερον τὰ ὀνόματα ἔσχον αἱ
 φυλαί.

§ 5. ἐπικληροῦσιν] Pollux viii 126,
 ἐπικληροῦντο αὐτοῖς αἱ διαίται, καὶ ἀτίμια
 (cf. ἄτιμον) ἀφώριστο τῷ μὴ διαιτῆσαντι
 τὴν ἐπικληρωθεῖσαν διαίταν. In Dem.
 Ἀρξοῦ. iii 58 a public (as contrasted
 with a private) arbitrator is described
 as κληρωτός. Cf. Meier and Schöm. p.
 1012 Lips.

ἐκδιδάται] not found in this sense else-
 where. Cf. ἐκδίδειν in [Xen.] *Rep.*
Ath. iii 2, δίκας καὶ γραφὰς καὶ εὐθύνas
 ἐκδίδειν, and Lys. 17 § 5.

τῆς ἡλικίας—καθηκούσης] The age
 has hitherto been inferred from Bekker,
Anecd. 235 (=Schol. Plat. *Leg.* 920 D),
 πάντες Ἀθηναῖοι οἱς ἐξηκοστὸν ἔτος ἦν (§ 4),
 and from the less precise statements in
 Pollux viii 126, ἐκ τῶν ὑπὲρ ἐξήκοντα ἔτη
 γεγονότων, and Hesych. οἱ περὶ ἐξήκοντα
 ἔτη γεγονότες. The age of 50 is wrongly
 given in Bekker *Anecd.* 186 and Suidas,
 s. v. διαιτηταί.

ἄτιμον] the severer form of ἀτίμια
 probably meant.

ἀτάλεις] 'exempt' from serving as διαι-
 τηταί.

§ 6. εἰσαγγέλλειν εἰς τοὺς διαιτητάς] Harpocr. s. v. εἰσαγγεῖα: εἰ γὰρ τις ὑπὸ
 διαιτητοῦ ἀδικῇ, ἐξήν τούτων εἰσαγγέ-
 λειν πρὸς (eis K-W) τοὺς δικαστὰς (διαιτητάς
 is Bergk's correction), καὶ ἄλλος ἡμιοῦτο
 (cf. Bekk. *Anecd.* 235, 24=Schol. Plat.

Leg. 920 D, and *Lex. Dem. Patm.* p. 13).

We have an example of this procedure in
 Dem. c. *Mid.* 86, φυλάξας τὴν τελευταίαν
 ἡμέραν τῶν διαιτητῶν—, κατηγορῶν ἐρημον
 οὐδενὸς παρόντος, ἐκβάλλει καὶ ἀτίμοι τὸν
 διαιτητῆν, first explained in this sense by
 Bergk, *Zeitsch. f. Alt.* 1849, 273, supported
 by Fränkel, *Alt. Geschworenenger.* p. 73 f.,
 as quoted in Meier and Schöm. p. 334
 Lips.; see also Daremberg and Saglio,
 iii 126. Cf. Dr Hager on εἰσαγγεῖα in
 Smith, *Dict. Ant.* i 710 b, where, how-
 ever, it is accidentally stated that, in
 Harpocr. l. c., Bergk 'rather needlessly'
 alters διαιτητάς into δικαστὰς: Bergk really
 altered δικαστὰς into διαιτητάς, and the
 text confirms his alteration. The διαι-
 τηταί for any given year form a 'college,'
 or corporate body; they pass resolutions
 and decree rewards in the phrase ἔδοξεν
 τοῖς διαιτηταῖς (Hubert, *de Arbitris*, p. 25;
 Meier-Schöm. p. 1013 Lips.). It is their
 president who is described as πρυτανεὺς
 in Dem. *Mid.* l. c. Hitherto it has been
 deemed uncertain whether the εἰσαγγεῖα
 of an arbitrator came before the διαιτηταί
 or before a body of δικασταί (Hubert, p.
 55; Gilbert, i 371). The text is decisive
 for the former alternative: but it also
 shews that the sentence was subject to
 appeal. In the latter event it would
 come before a law-court.

§ 7. προγράφουσιν—στρατεῦσθαι] Lys. 14 § 6, σέψασθε δὲ τίνες εἰσὶν οὓς δὲ
 παρῆναι. οὗχ οἵτινες ἀν τὴν ἡλικίαν ταύτην

54. κληροῦσι δὲ καὶ τάσδε τὰς ἀρχάς· ὁδοποιιοὺς πέντε, οἷς προστέτακται δημοσίους ἐργάτας ἔχουσι τὰς ὁδοὺς ἐπισκευάζειν· 2 καὶ λογιστὰς δέκα καὶ συνηγόρους τούτοις δέκα, πρὸς οὓς ἅπαντας ἀνάγκη τοὺς τὰς ἀρχὰς ἄρ[ξαν]τας λόγον ἀπενεγκεῖν. οὗτοι γὰρ εἰσι μόνον <οἱ> τοῖς ὑπευθύνουις λογιζόμενοι, καὶ τὰς 5

LIV 5 <οἱ> ins. J B Mayor, K-W, H-L, K², hiatus admissio.

TESTIMONIA. LIV § 1 Schol. in Aeschin. 3 § 25 infra exscriptum.

§ 2 Bekk. *An.* 176, 17 λογισταί: ἀρχοντές εἰσι κληρωτοί, δέκα τὸν ἀριθμὸν, ἐφ' ὧν πάντες οἱ ἀρέαντες ἀρχὴν ἡγνουῖν λόγον ἀπέφερον τῶν διοικημένων (fere eadem Etym. M. 569, 32). *Id.* p. 310, 6: οἱ λογισταί τὰς εὐθύναις ἀπάσας εἰσῆγον (cf. Phot. ἡγεμονία δικαστηρίου). Phot. εὐθύναι: κυρίως δὲ εἰσάγουσιν οἱ λογισταί πρὸς τοὺς δέξαντας μὴ ὁρθῶς ἀρεῖαι τῆς πόλεως ἢ πρεσβεύσαι κακῶς· καὶ τὰ δικαστήρια μὲν οἱ λογισταὶ κληροῦσι, καταγγορεῖ δὲ ὁ βουλόμενος· καὶ τοῖς δικασταῖς ἐφέται τιμᾶσθαι τοῖς ἀλοῶσιν (eadem Bekk. *An.* 145, 6 et Lex. Dem. Patm. p. 142). *Lex. rhet. Cantab. λογισταί, infra exscriptum.

ἔχουσιν; Dem. *Ol.* 3 § 4, ἐψηφίσασθε...καὶ τοὺς μέχρι πέντε καὶ τετταράκοντα ἐτῶν αὐτοὺς ἐμβαλεῖν. Aeschin. *F. L.* 133, ψηφισαμένων ὁμῶν... τοὺς μέχρι τριάκοντα ἐτη γεγονότας ἐξίεναι, *ib.* 168, πρώτην δ' ἐξελεῖν στρατεῖαν ἐν τοῖς μέρεσι καλοῦμεν...καὶ τὰς ἄλλας τὰς ἐκ διαδοχῆς ἐξόδους τὰς ἐν τοῖς ἐπώνυμοις καὶ τοῖς μέρεσιν ἐξῆλθον (Gilbert, i 302, and *Beiträge*, 51 ff.). Cf. Lycurg. *Leocr.* 39, αἱ δ' ἐλπίδες τῆς σωτηρίας τῷ δήμῳ ἐν τοῖς ὑπὲρ πενήτηκοντα ἐτη γεγονόσι καθεστήκεσαν. For προγράφουσιν, cf. Arist. *An.* 450, (τοὺς ὁπλίτας) σκοπεῖν δ τι ἂν προγράφωμεν ἐν τοῖς πινακίοις.

LIV § 1. ὁδοποιιοὺς] mentioned in Aeschin. 3 § 25 (with Schol. οἱ ἐπιμελούμενοι τῇ κατὰρτήσας τῶν ὁδῶν τῆς πόλεως), and by a Comic poet quoted in Plut. *Fraec. Reip. Ger.* 15 § 9, Μητιόχος μὲν <γὰρ> στρατηγεί, Μ. δὲ τὰς ὁδοὺς, Μ. δ' ἄρτους ἐποκτᾷ, Μ. δὲ τὰ λείψατα, Μητιόχῳ δὲ πάντα κείται, Μητιόχος δ' οἰμώζεται (ascribed to Cratinus by Bergk; Meineke, *Frag. Com.* iv p. 675). Boeckh, II x, p. 257 Fränkel.

§ 2. λογιστὰς] 'Auditors'; *Pol.* 1322 b 11, speaking of τὴν ληγόμενῃν λογισμὸν καὶ προσευθύνουσαν (ἀρχήν), καλοῦσι δὲ τοὺς οἱ μὲν εὐθύνουσι οἱ δὲ λογιστὰς οἱ δ' ἐξεταστάς οἱ δὲ συνηγόρους. It had already been proved by Boeckh (II viii, p. 239²) that the λογισταί and εὐθυνοὶ were separate bodies; and this is confirmed by the present treatise (cf. 48 § 4). Almost all the ὑπεύθυνοι had to send in their accounts to the λογισταί (Aeschin. *c. Ctes.* § 20, ἐγγράφειν λόγον πρὸς τοὺς λογιστὰς καὶ εὐθύναις διδόναι, § 22, λόγον ἀποφέρειν πρὸς τοὺς λ., Schol. on §§ 9, 15). CIA ii 444, 446, (ἀν δαγωνοθέτης) ἀπερήνοχεν λό-

γους εἰς τὸ μητρώον καὶ πρὸς τοὺς λογιστὰς καὶ τὰς εὐθύναις ἔδωκεν. In B.C. 454, 452, 435 they were 30 in number (CIA i 226, 228 and 32). The number was subsequently reduced to 10, possibly after the time of the Thirty. Gilbert, i 214.

συνηγόρους] mentioned in *Pol.* 1322 b 11, quoted above. The present passage is loosely paraphrased in *Lex. Rhet. Cant.* p. 672, 20: 'Α. ἐν τῇ 'Αθ. πολ. οὕτως λέγει λογισταί δὲ αἰροῦνται [ἀπ κληροῦνται?] δέκα, παρ' οἷς διαλογίζονται πᾶσαι αἱ ἀρχαὶ τὰ τε λήμματα καὶ τὰς γεγενημένας δαπάναις· καὶ ἄλλοι δέκα συνηγόροι οἵτινες συνακρίνουσι τοῦτοις· καὶ οἱ τὰς εὐθύναις διδόντες παρὰ τοῦτοις ἀνακρίνονται πρῶτον, εἰτα ἐφίενται εἰς τὸ δικαστήριον, εἰς ἕνα καὶ φ' (Rose, *Frag.* 447²). Mr Kenyon, however, regards this notice as 'differing wholly from the present passage'; and Lipsius implies that the name of Aristotle is mentioned by mistake. Wilamowitz places it among the spurious fragments.

οὗτοι—τοῖς ὑπευθύνουις λογιζόμενοι] It was the λογισταί who received the accounts of outgoing officials; who examined them conjointly with the συνηγόροι; and brought the accounts before a law-court of 501 δικασταί under their own presidency (Meier and Schöm. pp. 257 ff. Lips.). These functions have sometimes been erroneously ascribed to the εὐθυνοὶ (*ib.* pp. 115, 208 and Lipsius in *Leipzig Verhandl.* p. 64). The procedure may be illustrated by the oath taken by the corresponding officials in the deme Myrrhinus, CIA ii 578, ὁμνῆσαι δὲ τὸν ὅρκον καὶ τὸν λογιστὴν λογιεῖσθαι ἂν μοι δοκῇ ἀνηλωκέναι, καὶ τοὺς συνηγόρους συνηγορήσειν τῷ δήμῳ τὰ δίκαια καὶ ψηφισέσθαι ἂν μοι δοκῇ δικάστατα εἶναι.

εὐθύνας εἰς τὸ δικαστήριον εἰσάγοντες. κὰν μὲν τινα κλέπτουτ' ἐξελέγξωσι, κλοπὴν οἱ δικασταὶ καταγυγνώσκουσι καὶ τὸ γνωσθὲν ἀποτίνεται δεκαπλοῦν· ἐὰν δὲ τινα δῶρα λαβόντα ἐπιδείξωσιν, καὶ καταγνώσιν οἱ δικασταί, δώρων τιμῶσιν, ἀποτίνεται δὲ καὶ τοῦτο 10 δεκαπλοῦν· ἂν δ' ἀδικεῖν καταγνώσιν, ἀδικίου τιμῶσιν, ἀποτίνεται δὲ τοῦθ' ἅπλοῦν, ἐὰν [πρὸ τῆς] ἐνάτης πρυτανείας ἐκτείσῃ τις, εἰ δὲ μή, διπλοῦται· τὸ <δὲ> δεκαπλοῦν οὐ διπλοῦται.

κληροῦσι δὲ καὶ γραμματεῖα τὸν κατὰ πρυτανείαν καλούμενον, 3

7 -ΓΙΝΩΙΣΚΟΥΣΙ: -γινω K-W; -γινω H-L, K³; -γινω B, cf. 53, 7. ΓΝΩΘΕΝ (K, H-L): <κατα> γνωσθὲν K-W, B. 8 ΕΠΙΔΕΙΞ: ἀποδείξ. K-W. 10 ἐὰν H-L. 11 ΕΚΤΙΧΗ: ἐκτείσῃ K-W, H-L, K³, B: cf. Meisterhans, p. 144³, n. 1252. 12 <δὲ> ins. K (edd.).

10 ἀδικίου Harp. infra exscriptus.

§§ 3—5 Pollux viii 98: γραμματεὺς ὁ κατὰ πρυτανείαν κληρωθεὶς ὑπὸ τῆς βουλῆς ἐπὶ τῷ τὰ γράμματα φυλάττειν καὶ τὰ ψηφίσματα, καὶ ἕτερος ἐπὶ τοὺς νόμους ὑπὸ τῆς βουλῆς χειροτονούμενος. ὁ δ' ὑπὸ τοῦ δήμου αἰρεθεὶς γραμματεὺς ἀναγνώσκει τῷ τε δήμῳ καὶ τῇ βουλῇ. ἀντιγραφεὺς κτλ. (reliqua p. 195 ὁ exscripta).

§§ 3, 4 *Harp. γραμματεὺς... ὁ γραμματεὺς πῶς τε καθίστατο καὶ τί ἔπραττεν, ὡς τῶν γραμμάτων τ' ἐστὶ κύριος καὶ τὰ ψηφίσματα τὰ γερόμενα φυλάττει καὶ τὰ ἄλλα πάντα ἀντιγράφεται καὶ παρακδέχεται τῇ βουλῇ, δεδήλωκεν Ἄρ. ἐν Ἀθ. πολ. § 4 *Harp. ἀντιγραφεὺς, p. 195 ὁ exscriptus. § 5 Suidas (e lexico Photiano) γραμματεὺς (1): οὗτος πράξεις μὲν οὐδεμῶς ἦν κύριος, ὅταν ἐγνώσκε δὲ τῇ βουλῇ καὶ τῷ δήμῳ τὰ πραττόμενα. Bekk. An. 226 γραμματεὺς: καὶ τὸν γραμματεῖα ὁ δῆμος χειροτονεῖ, "ἀναγνώσκουσιν αὐτῷ καὶ τῇ βουλῇ" καὶ οὗτος οὐδενός" τὸ σύνολον ἄλλου "ἐστὶ κύριος" ἢ "τοῦ ἀναγνώναι"... (Frag. 399³, 439³). Bekk. An. 185, 14. Suidas s.v. (2) κληρωτοὶ δὲ ἦσαν τὸν ἀριθμὸν τρεῖς, γράφοντες τὰ δημόσια. οὐδενός δὲ ἦσαν οἱ γραμματεῖς οὗτοι κύριοι, ἀλλ' ἡ τοῦ γράφειν καὶ ἀναγνώναι.

τὰς εὐθύνας—εἰσάγοντες] Dem. de Cor. 117, ὅτε με εἰσήγον οἱ λογισταί, and F. L. 211.

κλοπὴν] δημοσίῳ χρημάτων. Dem. c. Timocr. 112, εἰ μὲν τις ἀγορανόμος ἢ ἀστυνόμος ἢ δικαστὴς κατὰ δήμου γεγόμενος κλοπῆς ἐν ταῖς εὐθύναῖς ἐάλωκεν,—τοῦτω μὲν τὴν δεκαπλασίαν εἶναι, and 127, συνέδρου γεγομένου κλοπὴν αὐτοῦ τὸ δικαστήριον κατέγνω καὶ δεκαπλάσιον ἀπέτισε.

καταγυγνώσκουσι] the compound verb, in the special sense, is followed by the simple participle τὸ γνωσθὲν, which, although more general in itself, has its meaning necessarily coloured by the previous context. To repeat the preposition is no more necessary here than in 57, 7, where διατίθησι is followed in the next sentence by τίθησι. Cf. Dem. Timocr. 9, where τῆς βουλῆς καταγνώσκας is followed several lines later by τὰ γνωσθένθ' ὑπὸ τῆς βουλῆς. I may also refer to my note on Eur. Bacch. 1065, κατήγεα, ἦγεν, ἦγεν, where Hec. 168, ἀπώλεσας, ὥλεσας, and Med. 1252, κατίδερ', ἴδερε, are quoted.

δῶρα... δεκαπλοῦν] This penalty is also

mentioned in Dinarch. c. Aristog. 17. The penalty of death (unnoticed in the text) is mentioned in § 4, 20. The two penalties are contrasted as alternatives in Dinarch. c. Dem. 60 and c. Philocl. 5 (Meier and Schömann p. 445, n. 723).

ἐπιδείξωμαι] Pol. 1259 a 16, ἐπιδείξαι ὅτι. Aeschin. 3 § 228, τῆς γὰρ αἰτίας αἰσχρὸν τὸν αἰτιώμενον εἶναι τὸ ἔργον μὴ ἔχειν ἐπιδείξαι.

ἀδικίου] here of 'maladministration.' Plut. Per. 32, εἶτε κλοπῆς καὶ δώρων εἴτ' ἀδικίου βούλοισι τις ὀνομάζειν τὴν δίωξιν. The term is not found in the Orators, but is mentioned in Harpocr. s. v. ἐστι δὲ ὄνομα δίκης. ἀποτίνονται δὲ τοῦτο ἅπλοῦν, ἐὰν πρὸ τῆς θ' πρυτανείας ἀποδοθῇ· εἰ δὲ μή, διπλοῦν καταβάλλεται. Meier and Schömann, p. 424—8; Lipsius, Leipz. Verhänd. p. 64. δεκαπλοῦν οὐ διπλοῦται] This fact has been hitherto unknown.

§ 3. γραμματεῖα] The full title is ὁ κατὰ πρυτανείαν γραμματεὺς τῆς βουλῆς, with the shorter forms γρ. τῆς βουλῆς or γρ. κατὰ πρυτανείαν. The regular form before the year of Euclides was ὁ γρ. τῆς βουλῆς. As an exception we find in B.C.

ὅς τῶν γραμμάτων ἐστὶ κύριος, καὶ τὰ [ψη]φίσματα τὰ γιγνόμενα φυλάττει, καὶ τὰλλα πάντα ἀντυγράφεται, καὶ παρακθήται τῇ 15

14 ΓΡΑΜΜΑΤΕΩΝ: γραμμάτων ex Harp. et Polluce Burnet, Bywater, Blass, Naber, K-W, H-L, K². <τ> post γραμμάτων addidit B ex Harp. ΓΙΝ (K-W): γιν. Harp.

409/8, CIA i 61 (as restored by Köhler) παραλαβόντες παρὰ [τ]οῦ [κατὰ πρυτανείαν γραμμα]τέως τῆς βουλῆς. In the fourth century the title ὁ γραμματεὺς ὁ κατὰ πρυτανείαν is first found in an inscr. of B.C. 358/7 or of 354/3 (CIA ii 61, where the other title ὁ γραμματεὺς τῆς βουλῆς is also found, and where mention is made of τοὺς ἄλλους γραμματέας τοὺς ἐπὶ τοῖς δημοσίοις γράμμασι). The two forms are interchanged with one another down to B.C. 322/1, when the short title γρ. τῆς βουλῆς appears for the last time (CIA ii 186), while the title γρ. ὁ κατὰ πρυτανείαν continues in use down to the Roman age (Gilbert in *Philol.* xxxix p. 131—6, and *Gr. St.* i 254; also Müller's *Handbuch*, iv i 167). This γραμματεὺς always belonged to a different tribe to that presiding at the time (CIA i 45, 46, 51, 61, 188; Gilbert, *Philol.* p. 133); but, in or after B.C. 322/1 (the date of the death of Aristotle), the γρ. so called belonged to the presiding tribe.

The 'full title' cited at the head of this note is not actually found except in CIA i 61 (as restored); and there is much to be said in favour of the restoration proposed by C. Schaefer: παραλαβόντες παρὰ [τ]οῦ [βασιλέως μετὰ τοῦ γραμμα]τέως τῆς βουλῆς. The special literature of the Athenian γραμματεῖς includes (in addition to the works already quoted) two dissertations of 1878 by C. Schaefer and C. A. Holle; and Hartel's *Studien*, published in the same year; also an article by von Wilamowitz (in *Hermes*, xiv 148—153), who, like Stoietin, in *Jahrb. f. Philol.* 1880, 189—202, rightly attributed to Aristotle the account which we find in Pollux. The dissertation by Kornitzer (1883) unfortunately receded from this position, which is now proved to be the only tenable one.

γραμμάτων—κύριος] 'is responsible for all public documents'. According to the law quoted in Dem. c. *Timocr.* 63, he delivered to the θεσμοθέται the decrees of the Council. τὰ ψήφισματα—φυλάττει] 'has the (general) custody of the public archives' (in the Μητρώον). In Dem. *F. L.* p. 381 these are described as under

the (special) charge of a public slave: ἐν τοῖς κοινοῖς τοῖς ὑμετέροις γράμμασιν ἐν τῷ Μητρώῳ ταῦτ' ἐστίν, ἐφ' οἷς ὁ δημόσιος τέτακται. This γραμματεὺς is mentioned by Aeschin. 3 § 15, λόγον καὶ εὐθύνας ἐγγράφουσι πρὸς τὸν γραμματέα καὶ τοὺς λογιστάς, and by Chamaeleon, ap. Athen. 407 C, (Alcibiades) ἦκεν εἰς τὸ Μητρώον, ὅπου τῶν δικῶν ἦσαν αἱ γραφαὶ καὶ βρέξας τὸν δάκτυλον ἐκ τοῦ στόματος διηλείψε τὴν δίκην τοῦ 'Ηγήμωνος' ἀναγκαστοῦντες δὲ ὁ τε γραμματεὺς καὶ ὁ ἀρχων τὰς ἡσυχίας ἦγον δι' Ἀλκιβιάδην.

τὰλλα ἀντυγράφεται] 'checks (or supervises) the transcription of all other public documents.' Thus, in the inventory of the χαλκοθήκη in CIA ii 61, ascribed to B.C. 358 or 354, Εὐκλῆς ὁ δημόσιος is to enter all the items and the γρ. κατὰ πρυτανείαν is to check them (ἀντιγράφεται δὲ τὸν γραμματέα τὸν κατὰ πρυτανείαν καὶ τοὺς ἄλλους γραμματέας τοὺς ἐπὶ τοῖς δημοσίοις γράμμασι), and lastly, the γραμματεὺς τῆς βουλῆς is to record the list on a tablet and to make a copy (ἀντίγραφα).

Pollux, viii 98, after describing the γρ. ὁ κατὰ πρυτανείαν and the γρ. ἐπὶ τοὺς νόμους in terms borrowed in part from the text, continues as follows: ἀντιγραφεὺς πρότερον μὲν ἀπερὸς αἰθῆς δὲ κληρωτὸς ἦν καὶ πάντα ἀντεγράφετο παρακθήμενος τῇ βουλῇ. In Bekker's best MS the following words, δύο δ' ἦσαν, ὁ μὲν τῆς βουλῆς ὁ δὲ τῆς διοικήσεως, come after the next heading λογισταί, and this order is approved by Lipsius; but Harpocration s. v. agrees with the other MSS in making them apply to the ἀντιγραφεῖς:—ὁ καθιστάμενος ἐπὶ τῶν καταβαλλόντων τινὰ τῇ πόλει χρέματα, ὥστε ἀντιγράφεσθαι ταῦτα (Dem. c. *Androt.* p. 615 and Aeschin. c. *Ctes.* 25). διττοὶ δὲ ἦσαν ἀντιγραφεῖς, ὁ μὲν τῆς διοικήσεως, ὡς φησι Φιλόχορος, ὁ δὲ τῆς βουλῆς, ὡς Ἀριστοτέλης ἐν Ἀθ. πολ. Cf. Bekker's *Anecd.* p. 185, ὁ δὲ καταγραφόμενος τὰ ἐν τῇ βουλῇ γεινόμενα. The present is the only passage in the treatise to which Harpocration can refer, but it is remarkable that the title ἀντιγραφεὺς does not occur in the text.

βουλῇ. πρότερον μὲν οὖν οὗτος ἦν χειροτονητός, καὶ τοὺς ἐνδοξοτάτους καὶ πιστοτάτους ἐχ[ειρ]οτόνουν· καὶ γὰρ ἐν ταῖς στήλαις πρὸς ταῖς συμμαχίαις καὶ προξενί[αι]ς καὶ πολιτείαις οὗτος ἀναγράφεται· νῦν δὲ γέγονε κληρωτός. κληροῦσι δὲ καὶ ἐπὶ τοὺς 4
10 νόμους ἕτερον, ὃς παρακάθεται τῇ βουλῇ, καὶ ἀντυγράφεται καὶ οὗτος πάντας. χειροτονεῖ δὲ καὶ ὁ δῆμος γραμματέα τὸν 5

17 κ(ΔΙ)ΑΠΤΙC: corr. K.
e Polluce (edd.).

19—20 ΕΠΙ ΤΟΥΤΟΙC Ν[Ο]ΜΟΝ ΕΤΕΡΟΝ: corr. K

§§ 4, 5. Cf. Testim. p. 194.

πρότερον] The date at which this official ceased to be χειροτονητός and became κληρωτός is unknown. The office became annual between B.C. 367 and 363. The last example of its being held for a πρυτανεία only is in 368/7; the first example of its being held for a year is in 363/2. Possibly appointment by lot was introduced about the same time.

τοὺς ἐνδοξοτάτους κτλ.] For the period between 450 B.C. and 403 B.C., about 28 names are known (Hille in *Leips. Stud.* i 240); but only one is at all familiar, Ἀγύρριος Κ[ολλυτεύς], CIA ii 18 (404/3 B.C.). In the fourth century, down to B.C. 322, we have 38 names, not one of them 'famous' (see Wyse in *Class. Rev.* v 276). στήλαις] cf. note on Dem. *Lept.* § 36.

ταῖς συμμαχίαις] e.g. in B.C. 433/2, the treaties between Athens and Leontini (CIA iv 33 a) and Athens and Rhegium (CIA iv 13), Σαρίας ἐγραμμάτευσεν: also in B.C. 378/7, the second maritime Confederacy (CIA ii 17), Καλλίβιος Κηφισοφῶντος ἐγραμμάτευσεν. The latest example now known belongs to B.C. 356/5 (CIA ii 66).

προξενίαις] 'grants of the title of πρόξενος' (cf. note on Dem. *Lept.* 60, and Gilbert, i 173). As exx. we have (in B.C. 431/0) CIA i 45, Προκλῆς Ἀτάρβου Εὐωνυμεὺς ἐγραμμάτευσεν.—ἀναγραφάτω πρόξενον καὶ εὐεργέτην Ἀθηναίων (Ἀστίαν τὸν Ἀλεόν) ἐστήλην λιθίνην ὃ γραμματεὺς ὁ τῆς βουλῆς καὶ καταθέντες ἐν πόλει. id. ii 29 (Echem-brotos of Cleone)—Πιστόδεος ἐγραμμάτευσεν, and ii 3 (Amyntor, Eurypylus, &c)—Δεξιθέος ἔγρ.—ἐπειδὴ καθάρηθῃ ἡ στήλη ἐπὶ τῶν τριάκοντα ἐν ᾗ ἦν αὐτοῖς ἡ προξενία, ἀναγράψαι τὴν στήλην τὸν γρ. τῆς βουλῆς. ii 21 (Eurytion) Δισχύλος ἔγρ., ii 60 (Philiscus, B.C. 355) ἐνάτης πρυτανείας ἢ Πάνδιος Σωκλέους ἐξ Οἴου ἔγρ.—ἀναγράψαι τὸδε τὸ ψήφισμα τὸν γρ. τῆς βουλῆς. ii 119 (Apelles of Byzantium, B.C. 339)—ἀναγράψαι αὐτοῦ τὴν προξενίαν τὸν γρ. τὸν κατὰ πρυτανείαν. ii 124 (an officer of Philip in B.C. 337)—ἀναγράψαι δὲ τὴν προξενίαν κτλ. Cf. Monceaux, *Les Proxénies Grecques*, p. 83.

πολιτείαις] 'grants of citizenship. The oldest inscr. on this subject is that in 'Εφ. Ἀρχ. 1883, pp. 37, 38: Ἰππαρχον &c Ἀθηναῖος ἐναι ἀνδραγαθίας ἐνεκα τῆς ἐς Ἀθηναίους καὶ φυλὴν καὶ δῆμον καὶ φρατρίαν ἐλθεῖναι ἦν περ ἀν βόλωνται καὶ ἀναγράψαι αὐτὸς ἐστήλην λιθίνην τὸν γραμματέα τῆς βουλῆς. CIA ii 243—εἶναι Ὀξύθεμν (friend of Demetrius Poliorcetes)—Ἀθηναῖον—ἀναγράψαι δὲ τὸδε τὸ ψήφισμα τὸν γραμματέα τὸν κατὰ πρυτανείαν. πολιτεία is used of 'a grant of citizenship' in inscriptions of Ephesus, Ditt. no. 134, ἀναγράψαι δὲ αὐτῶν τὴν πολιτείαν εἰς τὸ ἱερὸν τῆς Ἀρτέμιδος, οὗ καὶ αἱ λοιπαὶ πολιτεῖαι ἀν[α]γεγραμμέναι εἰσιν, and id. 315, ἀναγράψαι ὅσων καὶ αἱ λοιπαὶ πολιτεῖαι ἀναγεγραμμέναι εἰσιν. See Schömann, *Ant.* p. 355; Gilbert, i 175; *Dict. Ant.* i 443; Hartel, *Studien*, p. 271—3; Reinach, *L'Épigraphie Grecque*, p. 371.

ἀναγράφεται] Thus, in a decree in honour of Thrasylbulos of Calydon, the first two lines are inscribed in large characters, CIA i 59: [ἐπὶ Γλαυκί]ππου δ[ρ]χον[τ]ος. [Λόβων ἐκ] Κηδῶν ἐγραμμάτευσεν. Then follows the decree in smaller characters and the name of the γραμματεὺς is repeated in the second line, Λόβων ἐγραμμάτευσεν. CIA ii 51 (decree of citizenship &c B.C. 369) l. 3—Ἀθηναῖος ἐγραμμάτευσεν. CIA ii 54 (do. B.C. 363)—Παλληρεὺς ἔγρ.—τὸ δὲ ψήφισμα τὸδε ἀναγράψαι τὸν γραμματέα τῆς βουλῆς. Mr Wyse (*Class. Rev.* v 276 a) points out that this style is not found in any inscr. between 356/5 and 320/19.

§ 4. ἐπὶ τοὺς νόμους] Pollux viii 98, καὶ ἕτερος ἐπὶ τοὺς νόμους ὑπὸ τῆς βουλῆς χειροτονούμενος. The term χειροτονούμενος applies to the first γραμματεὺς of an earlier time, and not to the second γραμματεὺς.

§ 5. τὸν ἀναγνωσόμενον] It is probably the same official that is meant in Dem. *Lept.* 94 (of a new law), τῷ γραμματεῖ παραδοῦναι, τοῦτον δ' ἐν ταῖς ἐκκλησίαις ἀναγινώσκειν. When the letter of Nicias was delivered in Athens (Thuc. vii 10) ὁ γραμ-

ἀναγνωσόμενον αὐτῷ καὶ τῇ βουλῇ, καὶ οὗτος οὐδενός ἐστι
κ[υρ]ίος ἀλλὰ τοῦ ἀναγνώναι.

- 6 κληροὶ δὲ καὶ ἱεροποιοὺς δέκα, τοὺς ἐπὶ τὰ ἐκθύματα καλου-
μένους, [οἱ] τὰ τε [μαν]τευτὰ ἱερὰ θύουσιν, κᾶν τι καλλιερῆσαι 25
7 δέη, καλλιερῶσι μετὰ τῶν μάντε[ων]. κληροὶ δὲ καὶ ἐτέρους
δέκα, τοὺς κατ' ἐνιαυτὸν καλουμένους, οἱ θυσίας τέ τινας θύουσι,
[καὶ τ]ὰς πεντετηρίδας ἀπάσας διοικοῦσιν πλὴν Παναθηναίων.

23 ἀλλὰ: ἀλλ' ἢ Blass, Richards, Gennadios (c Suida K-W, H-L); ἀλλὰ defendit
K, sed ἀλλ' ἢ fortasse praestat. 28 διοικοῦσι H-L.

§§ 6, 7 *Etym. M. ἱεροποιοί: κληρωτοὶ ἀρχοντές εἰσι δέκα τὸν ἀριθμὸν, οἱ τὰ τε
μαντεύματα ἱεροθετοῦσι (ἱεροθύτου cod. V; ἱεροθυτοῦσι cod. D, Bekk. An. 265, et
Photius: οἱ τὰ μεμαντευμένα ἱερὰ θύουσιν Lex. Dem. Patm.), “κᾶν τι καλλιερῆσαι
δέη καλλιερῶσι μετὰ τῶν μάντεων,” καὶ θυσίας τὰς νομιζομένας ἐπιτελοῦσι “καὶ τὰς
πενταετηρίδας ἀπάσας διοικοῦσι πλὴν Παναθηναίων.” ταῦτα δὲ Ἀρ. Ιστορεῖ ἐν τῇ Ἀθ.
πολ. Pollux viii 107 ἱεροποιοί, p. 198 a exscriptus.

ματεὺς [τῆς πόλεως] παρελθὼν ἀνέγνω τοῖς
Ἀθηναίοις, where Herwerden, Stahl and
Hude bracket τῆς πόλεως. The margin
of M (the MS in the British Museum) has:
ὑπρέτην τὸν εἰσθότα ἐν τῷ κοινῷ δήμῳ τὰ
γράμματα ἀναγνώσκειν. We should have
expected to find him named in CIA ii 61,
26, ἀκούσας δὲ τὴν βουλὴν ἀναναγινω-
σκομένων [τῶν ἀναγεγραμμένων κτλ.]. In
CIA ii 114, 10 (B.C. 343/2) we read of
a decree in honour of Phanodemus: ἀναγ-
νῶναι τόδε τὸ ψήφισμα τῶν γραμματέα
τῷ δήμῳ. In [Plut.] ii 841 F, we learn
that the orator Lysurgus required the
γρ. τῆς πόλεως to see that the authorised
text alone of Aeschylus, Sophocles and
Euripides was adopted in the public per-
formances of their plays, [Plut.] ii 841 F,
τὸν τῆς πόλεως γραμματέα παραναγινώ-
σκειν τοῖς ὑποκρινομένοις.

ἀλλὰ] = ἀλλ' ἢ in *Eth. N.* x 5, 1176 a
22, vii 13, 1152 b 30, *Rhet.* ii 23, 1402
a 27 (Index Ar.).

§ 6. ἱεροποιοῖς] ‘Commissioners of
sacrifices.’ *Pol.* 1322 b 18, ἄλλο δ' εἶδος
ἐπιμελείας ἢ περὶ τοὺς θεοὺς. οἷον ἱερεῖς τε
καὶ ἐπιμελῆται τῶν περὶ τὰ ἱερὰ τοῦ σφύζεσθαι
τε τὰ ὑπάρχοντα καὶ ἀνορθοῦσθαι τὰ πίπ-
τοντα τῶν οἰκοδομημάτων καὶ τῶν ἄλλων
ὅσα τέτακται πρὸς τοὺς θεοὺς—(b 24) οἷον
ἱεροποιοὺς κτλ. The text is quoted in
Etym. Magn., without any distinction be-
tween the two boards. The article adds a
reference to Dem. p. 47, 13, οἱ λογοποιοὶ
τὰς πομπὰς ὑμῶν πομπεύουσι μετὰ τῶν ἱερο-
ποίων. The ἱεροποιοὶ are mentioned under
the Four Hundred in 30 § 2. Cf. [Dem.]
58 § 29, τὴν μὲν ἀρχὴν ἣν ἐκείνος ἀρχὼν
ἐτελεύτησεν, ἱεροποῖς ὢν, παρὰ τοὺς νόμους
ἤρχεν οὗτος, οὐτε λαχὼν οὐτ' ἐπιλαχὼν. CIA

ii 741 (B.C. 334/3), ἐκ τοῦ δερματικοῦ—ἐκ
τῆς θυσίας τῇ Ἀγαθῇ Τύχῃ παρὰ ἱεροποίων
—ἐξ Ἀσκληπείων παρὰ ἱεροποίων—ἐν Βεν-
διδέων, παρὰ ἱεροποίων. (B.C. 333/2), [ἐκ
Παναθηναίων παρὰ [ἱεροποίων]. B.C. 332/1
ἐκ Παναθηναίων παρὰ ἱεροποίων, ἐξ Ἑλευ-
σινίων παρὰ ἱεροποίων. Certain kinds of
ἱεροποιοί, however, were elected and not
appointed by lot. Thus, Dem. c. *Mid.*
§§ 115, 171 states that he had the honour
of being ‘elected’ from among all the
Athenians as one of the three ἱεροποιοί
τῶν σεμνῶν θεῶν. In an inscr. published
in Ἀθήναιον, 6 p. 483, we find 10 ἱεροποιοί
οἱ αἰρεθέντες ὑπὸ τῆς βουλῆς (out of
the 10 tribes). Gilbert i p. 249; Müller's
Handbuch, v 3, 34.

ἐκθύματα] The word is hitherto only
known in the sense of ‘pustule’ (Hipp.
Epid. 3, 1086 L and S). ἐκθύω, how-
ever, means in act. to sacrifice, in Soph.
El. 572, and Eur. *Cycl.* 371; and, in
middle, to expiate. In the text ἐκθύματα
(if genuine) means ‘expiations.’ The
corresponding phrase in an inscr. of B.C.
329/8, in *IEph.* Ἀρχ. 1883, 110—126, B 82,
is εἰς τὰ ἐπιθύσιμα.

μαντευτὰ] ‘appointed by oracle.’ Xen.
Anab. vi 1, 22, ἐθθeto τῷ Διὶ, ὅσπερ αὐτῷ
μαντεῦς ἦν. Sacrifices are enjoined in
the *μαντεῖαι* quoted by Dem. c. *Mid.*
52—54.

καλλιερῆσαι] [Xen.] *Vect.* vi 3, τοῖς
τοῖς θεοῖς καλλιερῆσας ἀρχεσθαι
τοῦ ἔργου.

§ 7. τοὺς κατ' ἐνιαυτὸν] possibly
corresponding to the ἐπιμελητὰς of 30
§ 2.

πεντετηρίδας] These festivals are also
enumerated in Pollux viii 107 (as cor-

ε[ἰσὶ δὲ] πεντετηρίδες μία [μὲν ἢ εἰς] Δῆλον (ἔστι δὲ καὶ ἐπ[τε]-
30 τηρίς ἐνταῦθα), δευτέρα δὲ Βραυρώνια, τρίτη [δὲ Ἑράκλει]α,

29 ε[ἰσὶ δὲ] K, K-W, ε (sc. πέντε) [δ' εἰσὶ] H-L (B).

πεντετηρίδες <δ'> K-W.

rected by Rose), ἱεροποιοί· δέκα ὅσους οὗτοι ἔθνον θυσίας τὰς <νομιζόμενας καὶ τὰς> added by Kenyon) > πεντετηρίδας <διοκοῦσι>, τὴν εἰς Δῆλον, τὴν ἐν Βραυρώνι, τὴν τῶν Ἑρακλείων (Ἑρακλείδων codd.; corr. Jungermann), τὴν Ἑλευσίνι.

πλήν Παναθηναίων] At this festival the procession was marshalled by the *δημαρχοί*: Suidas, s. v. οὗτοι δὲ διεκόμουν τὴν ἑορτὴν τῶν Παναθηναίων, and Schol. Arist. *Nub.* 37, οὗτοι δὲ τὴν πομπὴν τῶν Παναθηναίων ἐκόσμου. In CIA ii 741 *ἱεροποιοί* are twice mentioned in connexion with a Panathenaic festival: a 34, [ἐκ Παναθηναίων παρὰ [ἱεροποιῶν], and c 8, [ἐκ Παναθηναίων παρὰ ἱεροποιῶν]. The former refers to B.C. 333/2, the latter to 332/1, and, as neither of these is the 3rd year of an Olympiad, the lesser Panathenaea must be meant, and not the 'penteteric' festival mentioned in the text. The difficulty is more serious in CIA i 188, 74 (Ditt. no. 44): ἀποθέταις παρεδότης ἐς Παναθήναια τὰ μεγάλα (such and such a sum), ἱεροποιοῖς κατ' ἐνιαυτόν, Διόλλω Ἑρχεῖ καὶ συνάρχουσιν ἐς τὴν ἑκατόμβην (5114 dr.). Boeckh, II p. 8 Fränkel, supposes that, in the Panathenaea, it was the ἀποθέταις who undertook the duties connected with the games, which were undertaken by the *ἱεροποιοί* in the other festivals, while the *ἱεροποιοί* were only concerned with making arrangements for the hecatomb.

ἐς Δῆλον] The ancient *πανήγυρις* at Delos was revived by the Athenians in the spring of B.C. 425, Thuc. iii 104, 2, τὴν πεντετηρίδα τότε πρῶτον μετὰ τὴν κάθαρσιν ἐποίησαν οἱ Ἀθηναῖοι, τὰ Δῆλια. Besides the *πεντετηρίς* mentioned in the text there was an annual *θεωρία* (Plat. *Phaedo* 58 B, *Crito* 43 C). Hermann, *Gottesdienst. Alt.* § 66, 31—34.

It was formerly supposed that the Delian festival was held on the 6th and 7th of Thargelion=May-June (Boeckh, II p. 72 Fränkel). The Delian inscriptions point to its having been really held in the month known at Delos as Ἱερὸς, corresponding to the Attic Anthesterion=Feb.-March (Robert in *Hermes* xxi 161, approved by A. Mommsen in *Bursian's Jahrb.* 1886, 3 p. 335—8). It included musical (Plut. *Nic.* 3; Lucian *de Salt.* 16) and gymnastic competitions,

as well as horse-races (Thuc. iii 104; Dittenberger, 121, 16).

M. Homolle (*Bull. Corresp. Hellén.*, 1891, pp. 149—155) remarks that 'the inventories from Delos for 279 B.C. mention 30 of the cups that the Athenians gave every year, and 23 of the wreaths that they gave every four years... He also remarks that the inventories for 334 B.C., which come next in date, mention 11 of these cups and 20 of these wreaths, so that the last cup would have been given in 315 B.C., and the last wreath in 322. He argues that, as the Athenians certainly left Delos before 310 B.C., the cessation of their gifts after 315 B.C. is attributable to their departure and marks the exact date. But then one would like to know why there was not a twenty-fourth wreath for 318 B.C. The new treatise suggests the reason. It states that the Athenians held a festival at Delos every four years; but adds parenthetically and every six years also, and then alludes obscurely to the archonship of Cephisophon in 329 B.C. Suppose that [after the festival in 330] the interval was increased in 329 from four years to six: the twenty-second and twenty-third wreaths would then belong to 324 B.C. and 318 B.C. and would probably complete the series; for there is no other record of festivals at Delos every six years, and such festivals would presumably have been recorded, had they existed for any length of time' (Mr Torr in *Class. Rev.* v 277).

Βραυρώνια] The festival originally held at Brauron in honour of Artemis is mentioned in Hdt. vi 138 (cf. Arist. *Lysistr.* 646 and Schol.). It was afterwards held in the Brauronion on the Acropolis (Paus. i 23, 9; Wilamowitz, *Aus Kydathen*, 128 n. 47 f.). We have lists of dresses dedicated to Artemis by Athenian ladies (CIA ii 751 ff., p. 113), one of whom actually bears the name of Πεντετηρίς (ib. 756, 15, B.C. 345).

There was also a festival held at Brauron in honour of Dionysus, Arist. *Pax* 874 with Schol. *ἐκεῖ δὲ καὶ τὰ Διονύσια ἦγγο, καὶ καθ' ἑκάστου δῆμον*. Hence the Dionysia are described by Suidas i 454 as having been held every four years at Brauron. But the country Dionysia were celebrated annually through-

τετάρτη δὲ Ἐλευσί[νι]α, [πέμπτη] δὲ Παναθήναια καὶ τούτων οὐδεμία ἐν τῷ αὐτῷ ἐγγ[ύ]νεται. * [ἄθλα] δὲ πρόκειται [*κατὰ τὰ 32 ψη]φίσ[ματα τὰ*] ἐπὶ Κηφισοφῶντος ἄρχοντος.

31 Ἐλευ[σίνι]α, [ε] δὲ Wyse (K¹, qui ē pro πέμπτη scribi potuisse ostendit, coll. c. 47 § 4 ubi [θ] pro ἐνάτης recte datum; 'dispiciuntur vestigia litterae ε, et super eam ductus transversus qui numerum indicat' (B). Ἐλευσί[νι]α. τὰ δὲ K-W. 32 ΟΥΔΕΜΙΑ

ΕΝ?

legit K; ΟΥΔΕΤΡΙΑ H-L; equidem puto primitus fuisse οὐδέτερα. ΕΝΤΩΙΑΥΤΩΙΓΙ-
ΝΕΤΑΙ: ἐν τῷ αὐτῷ ἐγγ[ύ]νεται K¹; ἐν τῷ αὐτῷ εἶναι γίνεται J B Mayor; ἐν τῷ αὐτῷ
ἐνιαυτῷ γίγνεται Blass (H-L). [τ]ὰ δὲ Παναθήναια [καὶ] τούτων οὐδεμιᾷ ἐν τῷ αὐτῷ
ἐ[νιαυτῷ] γίγνεται K-W; καὶ τούτων οὐδεμία ἐν τῷ αὐτῷ ἐ[νιαυτῷ] γίγνεται B.
32 δὲ πρόκειται αἰς ἐπὶ Κηφισοφῶντος ἄρχοντος K, qui ante αἰς aut φ,

out Attica; and it is more probable that the festival under the control of the *ιεροποιοί* was the distinctive Brauronian festival of *Artemis*. Hemsterhuys, Corsini and others refer the Brauronian *πεντητηρίς* (cf. Pollux viii 107) to the Dionysia. K. O. Müller points out that the existence of a *ἑρεία* τῆς Ἀρτέμιδος τῆς Βραυρωνίας (Dinarch. *Arist.* 12) does not prevent the festival being under the management of the *ιεροποιοί*, and Rinck, *die Religion der Hellenen*, ii 105, refers it to the festival of *Artemis*. Hermann l. c. § 62, 14—20.

Ἡράκλεια Dem. F. L. § 125, παῖδας καὶ γυναῖκας ἐκ τῶν ἀγρῶν κατακομίζεν ἐψηφίσθε... καὶ τὰ Ἡράκλεια ἐν ἁσπεί θένει. Harpocr. s. v. πολλῶν ὅρων τῶν κατὰ τὴν Ἀττικὴν Ἡρακλείων νῦν ἂν ὁ Δημοσθένης μνημονεύει ἥτοι τῶν ἐν Κυνόσαργει, ταῦτα γὰρ μάλιστα διὰ τιμῆς εἶχον Ἀθηναῖοι. The festival referred to by Dem. was probably held about midsummer, apparently in the month Hecatombœon, at the same time as the Panathenaea: Steph. Byz. s. v. Ἐχελίδαί—τοῦ τετρακώμου Ἡρακλείου, ἐν ᾧ τοὺς γυμνικοὺς ἀγῶνας ἐπέθεσαν τοῖς Παναθηναίοις (Böhnecke, *Forschungen*, p. 655). On the Ἡράκλεια at Marathon, cf. Paus. i 15, 4; Pind. *Ol.* ix 95, Schol. Pind. *Ol.* xiii 110. See also Hermann l. c. § 62, 21—24.

Ἐλευσί[νι]α A festival held (as the context shews) once in four years and therefore distinct from the *Eleusinia* in the ordinary sense of the term. A. Mommsen, *Heortologie*, 1864, p. 243, doubted its existence. Cf., however, inscr. from Eleusis in Ἐφ. Ἀρχ. 1883, pp. 110—126 β 50, σύμπαν κεφάλαιον ἱερῶν καὶ ἱερῶν εἰς τὴν τριετηρίδα τῶν Ἐλευσινίων καὶ εἰς τὴν πεντητηρίδα, cf. *ib.* 1887, p. 3, v. 25, τῆς πανηγύρεως τῶν Ἐλευσινίων τῶν μεγάλων. It has been conjectured that the *τριετηρίς* and *πεντητηρίς* fell in the

second and fourth year respectively of the Olympiad. If the inscr. in CIA ii 741 (Ditt. 374) is correctly restored, the *ιεροποιοί*, presumably οἱ κατ' ἐνιαυτῶν, were concerned with the annual celebration of the Ἐλευσί[νι]α, cf. c 66 [ἐξ Ἐλευσινίων παρὰ ἱεροποιοῦν—], B.C. 432/1, the first year of an Olympiad, and d 74 [ἐξ Ἐλευσινίων παρὰ ἱεροποιοῦν—], B.C. 331/0, the second year of an Ol. For the fourth year of an Ol., 333/2, the inscr. b 39, as restored in the *Córrus*, has [ἐκ τῆς θυσίας τῇ Δήμητρει καὶ τῇ Κόρρῃ] τῇ Δαείρῃ παρὰ ἐπιμελητῶν. (Wyse, in *Class. Rev.* v 335 b.)

The inscr. in Ἐφ. Ἀρχ. 1883, mentioning the *πεντητηρίς* τῶν Ἐλευσινίων, refers to B.C. 329/8, the very year in which Cephisophon was archon. Payments are there made to the *ιεροποιοί* οἱ κατ' ἐνιαυτῶν, β 8 and 38 (κατὰ ψήφισμα δέμου [τ]ῷ [εἰς θυσίας], and to the *ιεροποιοί* ἐν βουλῇ β 67, 72, 76, 82 (εἰς τὰ ἐπιθεύσματα), γ 4 (Wyse, *ib.*).

Παναθήναια the great Panathenaea; c. 60.

ἐν τῷ αὐτῷ probably means 'in the same place,' which is true, the festivals being associated with Delos, Brauron, Marathon, Eleusis and Athens respectively. 'At the same time' is in itself a less likely interpretation. It is not at all probable that the festivals would actually clash in respect of date; but there would be no point in drawing attention to this. The Delian festival and the great Panathenaea were alike in the third year of an Olympiad (Thuc. iii 104). The *Delia* of 334 fell in the third year; those of 279 in the second year of an Ol. The *Delia* were probably held in the month of Anthesterion; the Panathenaea (and probably the *Heracleia*) in Hecatombœon; the *Eleusinia* possibly in the fourth year of an Olympiad, and probably in the same month as the annual *Eleusinia*, i.e.

κληροῦσι δὲ καὶ εἰς Σαλαμῖνα ἄρχοντα, καὶ εἰς Πει[ραι]έα 8
35 δὴμ[αρχ]ον, οἱ τὰ τε Διούσια ποιοῦσι ἐκατέρωθι καὶ χορηγοῦς

aut fortasse ρ, scriptum fuisse arbitratus, conicit [τοῦτο] δὲ πρόκειται [γραφ]αῖς [ταῖς] ἐπὶ κτλ. δὲ πρόκειται [ἐν γρα]φαῖς (φαι β) [ταῖς] ἐπὶ κτλ. K-W. [ρόμος] δὲ πρόκειται [περὶ τούτων τεθείς] ἐπὶ κτλ. H-L, invita papyro. equidem tentavi [ἄθλα] δὲ πρόκειται [πᾶσ]α[ς] [καθάπερ] ἐπὶ κτλ.; vel [ἐν ταῖς γρα]φαῖς [ταῖς] ἐπὶ κτλ., coll. Plut. ii 1134 A. ἡ τῶν Παναθηναίων γραφὴ περὶ μουσικοῦ ἀγώνος; vel [κ(ατὰ) τὰς σ(υ)γγρα]φὰς [τὰς] ἐπὶ κτλ. (coll. Dittenb. *Sylloge*, p. 24); vel potius [ἄθλα] δὲ πρόκειται [κ(ατὰ) τὰ ψη]φίσ[ματα τὰ] ἐπὶ κτλ.; sed Cephisophon Olympiadis in anno quarto archon erat, nec video cur in anno proximo post Panathenaea, potius quam ante ludos illos, nova praemia decreta fuerint; eo meliore igitur iure πέμπτη δὲ Παναθήναια delenda putat B. 34 Πει...ΕΔ, Πειραιέα K, K-W, B: Πειραιᾷ H-L. 35 ποιοῦσι etiam H-L.

in Boedromion. The month (and even the year) of the Brauronia is unknown. (A. Mommsen, *Heortol.* 409, assigns it to the 16th of Munichion.)

The insertion of ἐνιαυτῷ is only possible if we disconnect the Panathenaea from the four pentetetic festivals. The text, as edited by K-W, implies that not one of these four is in the same year as the Panathenaea; which is only possible if the Delian festival had already been transferred to the second year of the Ol., and the Heracleia to the first year, leaving the Brauronia (and possibly the Eleusinia) in the fourth year.

l. 32. ἄθλα δὲ πρόκειται.] The suggestion ἄθλα is confirmed (in point of sense) by the context, and (in point of expression) by *Pol.* 1330 a 33, τοῖς δοῦλοις ἄθλον προκεῖσθαι τὴν ἐλευθερίαν, *Hdt.* ix 101, ἀθλα πρόκειται, viii 93, ἀθλον ἔκειτο, *ib.* 26, τὸ ἀθλὸν σφι κείμενον, *Plat. Rep.* 638 C, προκείμενα ἄθλα, *Xen. Cyr.* ii 3, 2, ἄθλα πρόκειται, i 6, 18 ἄθλα προτιθεῖς. Cf. inscr. found at Sestos, in Dittenberger, 246, 78 (before 120 B.C.), τιθεῖς ἄθλα πάντων τῶν ἀθλημάτων τοῖς τε νέοις καὶ τοῖς ἐφήβοις. It is a welcome confirmation of this suggestion to find that ἄθλα has been independently proposed by Mr Newman, *Class. Rev.* v 117 d.

The inscr. already quoted from 'Εφ. Ἀρχ. 1883, pp. 110—126, describes the payments made to the *λερωποιοὶ οἱ κατ' ἐνιαυτόν*, β 8 and 38 κατὰ ψήφισμα δῆμου [7]δ [εἰς θ]υσ[ίας], and γ 7 καὶ τοῦτο (more than 1000 dr.) *λερωποιοὶ κατεβάλομεν κατὰ ψήφισμα δῆμου δ' Ἀνκούργος εἶπεν*. The date of the inscr. is the archonship of Cephisophon, B.C. 329/8. It is clear that in that year, on the proposal of Lycurgus, there was a special decree of the people affecting the *πεντητηρίς* of the Ἐλευσίνα. The same decree added a horse-race to the contests, and we are told that the prize in that contest was 70 medimni, β 38, 48, εἰς τὴν ἱπποδρομίαν τὴν προστε-

θεῖσαν κατὰ ψήφισμα ἄθλα μέδικοις ΠΔΔ. The suggestion in the text assumes that, under the active administration of Lycurgus (cf. *Dürnbach, Lycurgus*, pp. 99—102), prizes for the other festivals as well were the subject of decrees in the same year, but there is no evidence on this point. It may also be admitted that the 4th year of an Olympiad is not a very likely year for a decree to be passed affecting the Panathenaic and Delian festivals, which would not be held till three years later, in the 3rd year of an Olympiad.

ἐπὶ Κηφισοφώντος] B.C. 329/8, the latest date mentioned in this treatise.

§ 8. εἰς Σαλαμῖνα ἄρχοντα] CIA ii 594 (127 B.C.?), v. 1, ἐ[πὶ] Ἐπικλέους ἀρχοντος ἐν ἄστει, ἐν Σαλαμῖνι δὲ Ἀνδρονικοῦ, v. 31, Διονυσίων τῶν ἐν Σαλαμῖνι τραγωδοῖς. *ib.* ii 469 (somewhat before 69 B.C.), v. 75 and 80, ἐπὶ Πυθέου ἀρχοντος ἐν Σαλαμῖνι, ἐν ἄστει δὲ Ἰπάρχου, v. 82, Διονυσίων τῶν ἐν Σαλαμῖνι τραγωδῶν ἐν ἀγῶνι (cf. n. 470, v. 58). Before the discovery of this treatise there was nothing to shew how the archon in Salamis was appointed. Cf. de Schoeffer, *De Delis Insulae Rebus*, p. 201: 'Archon Salaminis insulae fueritne ab Atheniensibus constitutus an a clearchis electus, prorsus ignoramus; nomen archontis minime obstat quominus illud verisimilius videatur,' Dittenberger, *Syll. Inscr. Graec.* n. 383, n. 2, on an 'archon' in a decree of Scyros posterior to 196 B.C. (Wyse in *Class. Rev.* v 335.)

Salamis was not reckoned as a regular Attic deme, but as a community dependent on Athens. Hence (like Athens) it had an archon at its head (Hermann, *Staatsalt.* § 117, 4).

εἰς Πειραιᾶ δῆμαρχον] In CIA ii 573 δ we have a decree, of the second half of the fourth century, placing the *θεσμοφόριον* in the Peiraeus under the protection of the *δήμαρχος*. In ii 573 the *δήμαρχος* is mentioned in connexion with a theatre in the Peiraeus. In an inscr.

καθιστᾶσιν· ἐν Σαλα[μῖνι] δὲ καὶ τὸ [δν]ομα τοῦ ἄρχοντος 36 ἀναγράφεται.

55. αὐται μὲν οὖν αἱ ἀρχαὶ κληρωταὶ τε καὶ κύριαι τῶν [εἰρη]μένων [πραγμὰτ]ων εἰσίν. οἱ δὲ καλούμενοι ἐννέα ἄρχοντες, τὸ μὲν ἐξ ἀρχῆς ὃν τρόπον καθίσταντο [εἰρη]ται· [νῦν] δὲ κληροῦσιν θεσμοθέτας μὲν ἕξ καὶ γραμματεῖα τοῦτοις, ἔτι δ' ἄρχοντα καὶ βασι[λέα] καὶ πολέμαρχον, κατὰ μέρος ἐξ ἐκάστης 5 2 <τῆς> φυλῆς. δοκιμάζονται δ' οὗτοι πρῶτον μὲν ἐν τῇ [βουλῇ] τοῖς πεντακοσίοις, πλὴν τοῦ γραμματέως, οὗτος δ' ἐν δικαστηρίῳ

LV 1 'an κληροῦνται καὶ κύριαι? K-W.

3 [εἰρη]ται [ἡδῆ] νῦν] K, K-W, H-L: [εἰρη]ται· [νῦν] B, cum versus proximi in spatio eodem non plus quam tres existent litterae. 4 κληροῦσι H-L. 5 ἐκάστης <τῆς> B. 7, 10 <τῷ> δικαστηρίῳ hic et in c. 45, 7 K-W; idem in c. 46, 13 et c. 55, 10 articulum omissum non inserunt.

TESTIMONIA. LV §§ 1, 2, 4 Heraclidis epitoma; Rose Frag. 611, 8: εἰσι δὲ καὶ ἐννέα ἄρχοντες. θεσμοθέταις' (Coraeis; θεσμοθέται καὶ vel θεσμοθετικοὶ καὶ codd.) οἱ δοκιμασθέντες ὁμῶνους δικαίως ἀρξέειν καὶ δῶρα μὴ λήψεσθαι ἢ ἀνδράντα χρυσοῖν ἀναθήσειν.

§§ 2, 3 Pollux viii 85, 86, p. 202 ὁ exscriptus. *Lex. rhet. Cantab. θεσμοθετῶν ἀνάγκαις: κατὰ Ἀριστοτέλην οἱ θεσμοθέται ἐκ τῶν ὅ ἄρχοντων, αὐτοὶ ἐξ ὄντες. οἱ δὲ λαχόντες ὑπὸ τῆς βουλῆς τῶν πεντακοσίων καὶ τοῦ δικαστηρίου "δοκιμάζονται" "πλὴν τοῦ γραμματέως" ἐρωτώμενοι τινες αὐτῶν πατέρες, ὁμοῖοι καὶ δῆμων τίνων εἰσὶ, καὶ "εἰ ἔστιν" αὐτοῖς "Ἀπόλλων πατρῶς καὶ Ζεὺς ἑρκείος," καὶ εἰ τοὺς "γονέας" εὖ ποιοῦσι, καὶ εἰ "τὰ τέλη" τελοῦσι, καὶ εἰ τὰς ὑπὲρ τῆς πατρίδος στρατείας ἐστρατεύσαντο (Frag. 375², 414³).

ascribed to the beginning of the 3rd cent., *ib.* 589, one Callimedon has a place of precedence assigned him ἐν τῷ θεάτρῳ σταμ ποιῶσι Πειραιεῖς τὰ Διονύσια—καὶ εἰσαγέτω αὐτὸν ὁ δῆμαρχος εἰς τὸ θέατρον. Lastly, in ii 1059, a lease granted by the Πειραιεῖς is superscribed ἐπὶ Ἀρχιππου ἀρχοντος (B.C. 321/0), Φρυγίωτος δημαρχοῦντος]. Cf. Wachsmuth, *Stadt Athen.* ii 5. While, in the other demes, the δῆμαρχος was elected by the members of the deme, in the important deme of the Peiraeus he was appointed by lot. Otherwise he would have become too powerful a personage.

Διονύσια.] τὰ κατ' ἀγροῦς, celebrated in the month Poseideon, and on the grandest scale in the Peiraeus. CIA ii 589 (quoted above), *ib.* 741 (Ditt. 374), 6, 72, 79, ἐν Διονυσίων τῶν ἐν Πειραιεῖ. Cf. Müller's *Handbuch*, v 3, 162, and Wyse in *Class. Rev.* v 276 b.

LV—LVI § 1. On the nine Archons. Hermann, *Staatsalt.* § 138; Schömann, *Ant.* p. 410—414; Gilbert, i 239—243; *Dict. Ant.* s. v.

LV § 1. ἕξ ἀρχῆς] c. 3 §§ 2—4; 8 § 1; 22 § 5; 26 § 2.

κληροῦσιν κτλ.] The process is described in c. 8 § 1, ταῖς φυλαῖς τὸ δέκα

κληροῦν ἐκάστην, εἴτ' ἐκ τούτων κυμαεύειν.

θεσμοθέτας—ἕξ ἐκάστης τῆς φυλῆς.] It has hitherto been uncertain whether, in the annual appointment of archons, the holders of the office were taken from different tribes. Those who (like Schömann, p. 410) accepted this view, supposed that one of the ten tribes was unrepresented. We now learn that the tenth tribe supplied the γραμματεῖς τοῦ θεσμοθέται.

γραμματεῖα.] The existence of a γρ. to the *thesmothetae* has hitherto been unknown. Pollux, viii 92, after stating that the three first archons select two πάρεδροι each, adds: προσαιρούνται δὲ καὶ γραμματεῖα, ὅς ἐννόμῳ δικαστηρίῳ κρίνεται, but says nothing of any such secretary to the other six archons.

§ 2. δοκιμάζονται.] Harpocr. s. v. δοκιμασθεῖς—Λυκούργος δ' ἐν τῷ περὶ διοικήσεως "γ' δοκιμασάμεν κατὰ τὸν νόμον," φησὶ, "γίνονται, μὴ μὲν ἦν οἱ ὅ' ἄρχοντες δοκιμάζονται κτλ." Bekk. *Anecd.* 235, 11. Dem. *Lept.* 90 describes the six *thesmothetae* as undergoing a double δοκιμασία, ἐν τε τῇ βουλῇ καὶ παρ' ὑμῖν ἐν τῷ δικαστηρίῳ (cf. Lys. 15 § 2). Dem. 57 §§ 66, 70 refers to the δοκιμασία of all the nine archons. Gilbert, i 208; Schömann, p. 406.

μόνον, ὥσπερ οἱ ἄλλοι ἄρχον[τες] (πάντες γὰρ καὶ] οἱ κληρωτοὶ καὶ οἱ χειροτονητοὶ δοκιμασθέντες ἄρχουσιν), οἱ δ' ἐννέα [ἄρχ]οντες
 10 [ἐν] τε τῇ βουλῇ καὶ πάλιν ἐν δικαστηρίῳ. καὶ πρότερον μὲν οὐκ ἦρχεν θυγ[ι]ν' ἀποδοκιμάσειεν ἡ βουλή, νῦν δ' ἔφεσις ἐστὶν εἰς τὸ δικαστήριον, καὶ τοῦτο κύριόν ἐστι τῆς δοκι[μα]σίας. ἐ[πε]ρωτῶ- 3
 σιν δ', ὅταν δοκιμάζωσιν, πρῶτον μὲν 'τίς || σοι πατὴρ καὶ πόθεν [Col. 28.] τῶν δῆμων, καὶ τίς πατὴρ, καὶ τίς μήτηρ, καὶ τίς μητὴρ
 15 πατὴρ καὶ πόθεν τῶν δῆμων;' μετὰ δὲ ταῦτα, εἰ ἐστὶν αὐτῷ 'Ἀπόλλων πατὴρ καὶ Ζεὺς ἑρκείος, καὶ ποῦ [τ]αῦτα τὰ ἱερά ἐστὶν, εἴτα ἡρία εἰ ἐστὶν καὶ ποῦ ταῦτα, ἔπειτα γονέας εἰ εὐ ποιεῖ, [καὶ] τὰ τέλη τελεῖ, καὶ τὰς στρατείας εἰ ἐστράτευται. ταῦτα δ'

9 ἐννέ' K-W, B. 12 ἐπερωτῶσι H-L.
 K-W e Lex. Cantabr. coll. Dinarch. ii 18.

16 ἐρκείος edd. 18 <ει> τελεῖ

πάντες—δοκιμασθέντες ἄρχουσιν] Aeschin. c. Ctes. §§ 14, 15; Lysias 26 §§ 6, 12. Pollux viii 44, δοκιμασία δὲ τοῖς ἀρχουσιν ἐπηγγέλλετο καὶ τοῖς κληρωτοῖς καὶ τοῖς αἰρετοῖς, εἴτ' ἐπιτήδειοι εἰσιν ἄρχεω εἶτε καὶ μὴ. The text states that, whereas the nine archons were examined by the Council and by the law-court, all the other officers (whether appointed by lot or by show of hands) were examined by the law-court alone. This is in exact agreement with the view put forward by C. Schaefer in *Fahrh. f. class. Phil.* 1878, 821 (the other views are stated in Gilbert, i 208, n. 3).

The passages bearing on the δοκιμασία of the ἀρχαὶ χειροτονηταὶ are Dem. 40 § 34, χειροτονησάντων ὑμῶν ἐμὲ ταξίαρχον ἦκεν αὐτὸς ἐπὶ τὸ δικαστήριον δοκιμασθόμενος, and Aesch. Ctes. 15, χειροτονητὰς ἀρχὰς...ἀρχεω δοκιμασθέντας ἐν τῷ δικαστηρίῳ. In the latter passage it is added that the κληρωταὶ ἀρχαὶ αὐτοὶ οὐκ ἀδοκίμαστοι, but nothing is stated about the law-courts. Cf. c. 45 § 3.

§ 3. πρῶτον μὲν κτλ.] Dinarchus, *Aristog.* 17, ἀνακρίνοντας τοὺς ὑπὲρ τῶν κοινῶν τι μέλλοντας διοικεῖν, τίς ἐστὶ τὸν ἴδιον τρόπον, εἰ γονέας εὐ ποιεῖ, εἰ τὰς στρατείας ὑπὲρ τῆς πόλεως ἐστράτευται, εἰ ἱερά (ἡρία Baier and Sauppe, coll. § 18 πατὴρ μῆμα) πατὴρ ἐστὶν, εἰ τὰ τέλη τελεῖ. Xen. *Mem.* ii 2, 13, ἐάν δὲ τις γονέας μὴ θεραπεύῃ, τοῦτω δίκην τε ἐπιτίθῃσι καὶ ἀποδοκιμάσουσα οὐκ ἐξ ἀρχεω τοῦτω... καὶ ἐάν τις τῶν γονέων τελευτήσαντων τοὺς τάφους μὴ κοσμήῃ, καὶ τοῦτο ἐξετάζει ἡ πόλις ἐν ταῖς τῶν ἀρχόντων δοκιμασίαις. Lys. 16 § 9 (of the δοκιμασία of a βουλευτής), ἐν ταῖς δοκιμασίαις δίκαιον εἶναι παντὸς τοῦ βίου λόγον δίδδναι. Pollux, viii 85, 86,

gives a summary of the text, ἐκαλείτο δὲ τις θεσμοθετῶν ἀνάκρισις (Dem. *Eubul.* 66), εἰ 'Ἀθηναῖοι εἰσιν ἐκατέρωθεν ἐκ τριγωνίας καὶ τὸν δῆμον (corrected in margin of Cobet's copy into τῶν δῆμων, which is proved to be right by the text) πόθεν, καὶ εἰ 'Ἀπόλλων ἐστὶν αὐτοῖς πατὴρ καὶ Ζεὺς ἑρκείος, καὶ εἰ τοὺς γονέας εὐ ποιοῦσι, καὶ εἰ ἐστράτευνται ὑπὲρ τῆς πατρίδος καὶ εἰ τὸ τίμημα ἐστὶν αὐτοῖς. In the quotation in *Lex. Rhét. Cant.* the clause last quoted is in closer accordance with the text, εἰ τὰ τέλη τελοῦσι: though the form in Pollux has been supposed to be the older form (Gilbert i 210, n. 1).

πατὴρ πατὴρ...μητὴρ πατὴρ] Pollux viii 85, 'Ἀθηναῖοι—ἐκ τριγωνίας, not necessarily part of an earlier formula.

'Ἀπόλλων πατὴρ—Ζεὺς ἑρκείος] The gods of the Athenian's home. Dem. 57 § 54, παίδιον ὄντα μ' εὐθέως ἦγον εἰς τοὺς φράτερας, εἰς 'Ἀπόλλωνος πατὴρ οἶον ἦγον, and § 67 quoted below. Cf. Harp. s. v. τὸν δὲ 'Ἀπόλλωνα κοινῶς πατῶν τιμῶσιν 'Ἀθηναῖοι ἀπὸ 'Ἰωνος' τοῦτον γὰρ οἰκίσαντος τὴν 'Ἀττικὴν, ὡς 'Ἀριστοτέλης φησί, τοὺς 'Ἀθ. 'Ἰωνας κληθῆναι καὶ 'Ἀπόλλωνα πατῶν αὐτοῖς ὀνομασθῆναι, and s. v. ἑρκείος Ζεὺς: Δεῦραρχος ἐν τῷ κατὰ Μοσχλίους "εἰ φράτορες αὐτῷ καὶ βωμοὶ Διὸς ἐρκείου καὶ 'Ἀπόλλωνος πατῶν εἰσιν." ἑρκ. Ζεὺς, ὃ βωμὸς ἐντὸς ἑρκους ἐν τῇ αὐτῇ ἰδρυται—ὅτι δὲ τοῦτοις μετὴν τῆς πολιτείας οἷς εἴη Ζεὺς ἑρκείος, δεδήλωκε καὶ 'Ἱππερίδης κτλ.

ἡρία] Dem. 57 § 66, ὥσπερ γὰρ τοὺς θεσμοθέτας ἀνακρίνετε, ἐγὼ τὸν αὐτὸν τρόπον ἐμάντων ὑμῖν ἀνακρινῶ. (67)—οἰκεῖοι τυwes εἶναι μαρτυροῦσιν αὐτῷ; πάνυ γε' πρῶτον μὲν γε τέτταρες ἀνεψιοί, —εἴτ' 'Ἀπόλλωνος πατῶν καὶ Διὸς ἐρκείου γεννητὰι, εἰδ' οἷς ἡρία ταῦτα (cf. Dinarchus, quoted above).

ἀνερωτήσας, 'κ[ά]λει,' φησίν, 'τούτων τοὺς μάρτυρας.' ἐπειδὴν δὲ
 παράσχηται τοὺς μάρτυρας ἐπερωτᾷ, 'τούτου βούλεται τις 20
 4 κατηγορεῖν;' καὶ μὲν ἡ τις κατηγορὸς, δὸς κατηγορίαν καὶ ἀπολο-
 γίαν, οὕτω δίδωσιν ἐν μὲν τῇ βουλῇ τὴν ἐπιχειροτονίαν, ἐν δὲ τῷ
 δικαστηρίῳ τὴν ψῆφον· ἐὰν δὲ μηδεὶς βούληται κατηγορεῖν, εὐθὺς
 δίδωσι τὴν ψῆφον· καὶ πρότερον μὲν εἰς ἐνέβαλλε τὴν [ψ]ῆφον,
 νῦν δ' ἀνάγκη πάντας ἐστὶ διαψηφίζεσθαι περὶ αὐτῶν, ἵνα, ἂν τις 25
 πονηρὸς ὢν ἀπαλλάξῃ τοὺς κατηγοροῦντας, ἐπὶ τοῖς δικασταῖς
 5 γένηται τοῦτον ἀποδοκιμάσαι. δοκιμασθέν<τες> δὲ τοῦτον τὸν
 τρόπον, βαδίζουσιν πρὸς τὸν λίθον ἐφ' ο[ὗ] τὰ τόμ' ἐστίν, ἐφ' οὗ
 καὶ οἱ διαιτηταὶ ὁμόσαντες ἀποφαίνονται τὰς διαίτας, καὶ οἱ
 μάρτυρες ἐξόμνουνται τὰς μαρτυρίας. ἀναβάντες δ' ἐπὶ τοῦτον 30
 ὁμνύουσιν δικαίως ἄρξειν καὶ κατὰ τοὺς νόμους, καὶ δῶρα μὴ
 λήψεσθαι τῆς ἀρχῆς ἕνεκα, καὶ τι λάβωσι, ἀνδριάντα ἀναθήσειν
 χρυσοῦν. ἐντεῦθεν δ' ὁμόσαντες εἰς ἀκρόπολιν βαδίζουσιν καὶ
 πάλιν ἐκεῖ ταῦτα ὁμνύουσι, καὶ μετὰ ταῦτ' εἰς τὴν ἀρχὴν
 εἰσέρχονται.

56. λαμβάνουσι δὲ καὶ παρέδρους ὃ τε ἄρχων καὶ ὁ βασι-

20 ΒΟΥΛΕΥΤΑΙ: corr. K. 25 ὅ' ἐν H-L. 27 ΔΟΚΙΜΑΣΘΕΝ (K): δοκι-
 μασθέν<τες> Rutherford, Richards, Blass, K-W, H-L. 28 ὅφ' ὃ τὰ ταμεία
 (ΤΑΜΙ?) ἐστὶν K'; ἐφ' οὗ τὰ τόμ' ἐστίν van Leeuwen (H-L, K²); ἐφ' ὃ κτλ. B; ὅφ' ('ἐφ'
 an γφ incertum; utrumque libri Pollucis') φ τὰ τόμ' ἐστίν K-W. mihi quidem littera
 γ cum φ connexa potius quam e scripta videbatur (sed e posse legi censent K et
 K-W); sequitur o potius quam litterae ω initium. 31 ὁμνύουσι H-L. 32 λά-
 βωσιν H-L. 33 βαδίζουσι H-L.

LVI 1 καὶ ὁ βασιλεὺς om. Harp.

§ 5, 28 *Harp. λίθος (cf. Testim. ad c. 7, 5).

TESTIMONIA. LVI § 1 Pollux viii 92: πάρεδροι δ' ὀνομάζονται οὓς αἰροῦνται
 ἄρχων καὶ βασιλεὺς καὶ πολέμαρχος, δύο ἕκαστος οὓς βούλεται. δοκιμασθῆναι δ' αὐτοὺς
 ἐχρῆν ἐν τοῖς πεντακοσίοις, εἴτ' ἐν δικαστηρίῳ. προσαιροῦνται δὲ καὶ γραμματεῖα, ὅς
 ἐννόμῳ δικαστηρίῳ κρίνεται. *Harp. πάρεδρος: 'Ἀρ. δ' ἐν τῇ Ἀθ. πολ. φησὶ "λαμ-
 βάνουσι δὲ καὶ παρέδρους ὃ τε ἄρχων <καὶ ὁ βασιλεὺς Rose, coll. Meier Att. Proc.
 p. 57; Bull. de Corr. Hell. vii 158> καὶ ὁ πολέμαρχος, δύο ἕκαστος (ἕκαστος Rose)
 οὓς ἂν βούληται, καὶ οὗτοι—παρεδρεύσωσιν" (cf. Suid. s. v.). Frag. 389², 428².

§ 4. ψῆφον] Meier and Schöm. p.
 635 ff. Lips.

ἀπαλλάξῃ] Dem. c. Ζιμοκρ. § 37, ἂν
 ἀπαλλάξῃ τιστὸν ἐπιστάντα, καὶ ἀπαλλάξας
 καὶ διαφείρας, also And. de Mysi. 122,
 supra c. 27 ad fin.

§ 5. πρὸς τὸν λίθον] Dem. 54 § 26,
 πρὸς τὸν λίθον (Harpocr.; βωμὸν MSS)
 ἀγογῆς καὶ ἐξορκίζοντες. Plut. Sol. 25,
 ὡμνουν ὅρκον ἕκαστος τῶν θεσμοθετῶν ἐν
 ἀγορᾷ πρὸς τῷ λίθῳ.

ἐφ' οὗ τὰ τόμ' ἐστίν] Dem. 23 c.
 Aristocr. 68 (the prosecutor in a case of
 homicide before the Areopagus) ὁμνύουσιν...

στὰς ἐπὶ τῶν τομῶν κάπρον καὶ κροῦ καὶ
 ταύρου. Arist. Lys. 186, καὶ μοι δόντω τὰ
 τόμ' αἱ. The archon's oath was taken
 (Pollux viii 86) πρὸς τῇ βασιλείῳ στοῦ, ἐπὶ
 τοῦ λίθου ὅφ' ὃ τὰ ταμεία (ita codex
 Schotti; ἐφ' ὃ τε ceteri: ἐφ' οὗ τὰ τόμ' α
 ὅς corr. Bergk, Ep. crit. ad Schiller.,
 p. 131).

ἀνδριάντα ἀναθήσειν] 7 § 1. Gilbert,
 i 211, n. 3.

LVI § 1. παρέδρους] In [Dem.] 59
 § 72, and in CIA ii 597, the πάρεδρος
 to the archon βασιλεὺς is mentioned.
 Gilbert, i 218, n. 4.

λεὺς καὶ ὁ πολέμαρχος δύο ἕκαστος, οὓς ἂν βούληται, καὶ οὗτοι δοκιμάζονται ἐν τῷ δικαστηρίῳ πρὶν παρεδρεῖν, καὶ εὐθύνas διδῶσιν ἐπὶ παρεδρεύσωσιν.

- 5 καὶ ὁ μὲν ἄρχων εὐθὺς εἰσελθὼν πρῶτον μὲν κηρύττει, ὅσα 2
τις εἶχεν πρὶν αὐτὸν εἰσελθεῖν εἰς τὴν ἀρχήν, ταῦτ' ἔχειν καὶ
κρατεῖν μέχρι ἀρχῆς τέλους. ἔπειτα χορηγούς τραγικοὺς καθίσ- 3
τησι τρεῖς, ἐξ ἀπάντων Ἀθηναίων τοὺς πλουσιωτάτους· πρότερον
δὲ καὶ κωμικοὺς καθίστη πέντε, νῦν δὲ τούτους αἱ φυλαὶ φέρουσιν.
10 ἔπειτα παραλαβὼν τοὺς χορηγούς τοὺς ἐνηνεγμένους ὑπὸ τῶν
φυλῶν εἰς Διονύσια ἀνδράσιν καὶ παισὶν καὶ κωμικοῖς, καὶ εἰς
Θαργήλια ἀνδράσιν καὶ παισὶν (εἰσι δ' οἱ μὲν εἰς Διονύσια κατὰ

2 ἕκαστος: ἑκάτερος Harp. (κ'). 3 ἄν: ἑάν. 4 ἔπταν: ἐπειδὴν H-L.
9 ΤΟΥΤΟΙΣ Κ ΕΤ Η-Λ, i.e. τοῖς κωμικοῖς χορηγοῖς φέρουσιν: τοῦτους Wyse coll. Dem.
39 § 7 (K-W, B). 11—12 ἀνδράσι—παισι—ἀνδράσι H-L.

§ 3 Lex. rhet. Cantab. ἐπώνυμος ἀρχων... ἔχει δὲ ἐπιμέλειαν χορηγῶν καταστήσαι
"εἰς Διονύσια" καὶ "Θαργήλια," ἐπιμελεῖται δὲ καὶ τῶν "εἰς Δῆλον" καὶ τῶν ἀλλαχόσε
πεμπομένων Ἀθήρηθεν χορῶν...

ἕκαστος] ἑκάτερος is found in the citation in Harpocr., where, however, καὶ ὁ βασιλεὺς is omitted. It was conjectured by Meier (*Att. Proc.* p. 71 Lips.) that it was owing to this omission that ἕκαστος had been corrupted into ἑκάτερος. We now see that this was actually the case (Lipsius, *Leips. Verhandl.* p. 53, n. 3, was accidentally led to state the contrary by the reading in Mr Kenyon's first edition, ἑκάτερος).

§§ 2—7. *The Archon.*

§ 3. χορηγοὶ] Dem. *Lept.* Introd. p. iv—vii; Haigh's *Attic Theatre*, p. 71—75; Albert Müller's *Bühnenalterthümer*, p. 193.

τραγικοῖς] Lys. 24 § 9, κατασταθεῖς χορηγοὶ τραγικοῖς, 19 § 29, τραγικοῖς δις χορηγήσαι. Cf. Kühner, § 426, 2.

τρεῖς] In tragedy the number of competitors was limited to three. In the extant notices we never find more than three tragic poets competing, e.g. B.C. 467, (1) Aeschylus, S. C. T. &c, (2) Aristias, (3) Polyphradmon. B.C. 431, (1) Euphorion, (2) Sophocles, (3) Euripides, *Medea*, &c. B.C. 428, (1) Euripides, *Hippolytus*, &c, (2) Iophon, (3) Ion. Cf. Haigh, *Attic Theatre*, p. 19.

κωμικοῖς—πέντε] In comedy the number of competitors during the fifth century was three, as in tragedy: thus Aristophanes, in producing at the City Dionysia the *Clouds*, the *Peace* and *Birds*, during the latter part of the fifth century, had in each case two competitors. The same

was the rule at the Lenaea. With the beginning of the fourth century the number was raised to five at both festivals (cf. Arg. Arist. *Plut.* and CIA ii 972, Haigh, *l.c.* p. 30—31).

τούτους—φέρουσιν] Dem. p. 996, 22, οὐκοῦν... ὁσούσι με, ἂν χορηγὸν ἢ γυμνασι-
αρχὸν ἢ ἐστιάτορα ἢ ἐάν τι τῶν ἄλλων φέ-
ρωσιν; It is only in the case of comedy that the φυλαὶ nominate; and even here it is a recent innovation. The χορηγοὶ concerned with the production of tragedies were not nominated by the tribes; cf. Lipsius, *Leips. Verhandl.* 1885, p. 411.

Διονύσια] ἐν δῶρει. Elaphebolion 9-13.
ἀνδράσιν καὶ παισὶν] At the City Dionysia, besides the dramatic contests, there were choral competitions, between choruses of men and boys respectively. There were five choruses of men and five of boys, each chorus being provided by one of the ten tribes, each tribe being represented by one of its members as χορηγός. Haigh, *l.c.* pp. 14, 15.

Θαργήλια] On the second day of the festival, about May 25, there was a competition among the cyclic choruses of men and boys. Lys. 21 § 1, Θαργήλιος νικήσας ἀνδρικῶ χορῶ, Ant. *de Chor.* §§ 11—13, of a χορὸς παίδων, CIA ii 553, εἰ τις ἄλλος νενίκηκεν ἀπ' Εὐκλείδου ἀρχοντος παισὶν ἢ ἀνδράσιν Διονύσια ἢ Θαργήλια κτλ. Dem. *Mid.* § 10 (lex), Θαργήλιων τῇ πομπῇ καὶ τῷ ἀγῶνι. Cf. A. Mommsen, *Heortol.*, 414—424.

φυλάς, εἰς Θαργήλια [δὲ] δυοῖν φυλαῖν εἰς· παρέχει δ' ἐν μ[έρει] ἑκατέρα τῶν φυλῶν, τοῦτοις τὰς ἀντιδόσεις ποιεῖ καὶ τὰς σκήψεις εἰς[άγει, ἐά]ν τις ἢ λελητουργη[κέ]ν[αι] φῇ π[ρό]τερον ταύτην 15 τὴν λητουργίαν, ἢ ἀ[τελ]ῆς εἶναι λελη[τουργηκῶς] ἑ[τέραν] λητουργίαν καὶ τῶν χρόνων αὐτῷ [τῆς ἀτελ]είας μὴ ἐξελη[λυ]θό[των], ἢ τὰ τετταράκοντα] ἔτη μὴ γεγονέναι· δεῖ γὰρ τὸν τοῖς παι[σιν] χορηγούντα ὑπὲρ τετταρά[κου]τα ἔτη γεγονέναι. καθίστησι δὲ καὶ εἰς Δῆλον χορηγούς, καὶ ἀρχι[θ]έω[ρον] τ[ῷ] τριακοντορίῳ τῷ τοὺς 20

13 δὲ, quod in lacuna absorptum censet K, in codicis imagine videre sibi visi sunt H-L, B: idem a librario omissum putant K-W. ΔΥΕΙΝ K¹, B: δυοῖν K-W, K², B (coll. Meisterhans, p. 162², ubi in titulis δυεῖν cum plurali tantum coniungi dicitur).

14 τοῦτοις, τὰς ἀντιδόσεις ποιεῖ K¹; τοῦτοις τὰς κτλ. K-W (K², B); τοῦτον, τὰς κτλ. Richards (H-L). 15 λε.....η π[ρό]ς ἕτερον K¹; λελητουργηκέναι φῇ πρότερον scripsi (K², B); λελογτηρ pr.? (Blass); λελητουργηκέναι λέγγ

π[ρό]τερον K-W. 16 λειτουργίαν (vel λογτηρίαν pr.). ἢ ἀ[τελ]ῆς εἶναι· λελητουργηκέναι γὰρ K-W; ἢ ἀ[τελ]ῆς εἶναι λελη[τουργηκῶς] K² (B). 17 τῶν χρόνων αὐτῷ [τῆς ἀτελ]είας μὴ ἐξελη[λυ]θό[των], ἢ τὰ μ[ὲν] ἔτη K²; eadem (omisso μ quod olim protuli) B; ἐξεληλυθῶτων non accipiunt K-W. Locum totum 15—19 ita constituunt H-L: ἐάν τις ἢ λέγγ πέντης εἶναι ἢ πρὸς ἕτερον ταύτην τὴν λητουργίαν μᾶλλον ἀνέκειν ἢ λητουργεῖν ἥδη ἑτέραν λητουργίαν ἢ τῶν χρόνων αὐτῷ ἑνεκα...είας μὴ ἐξεῖναι, διὰ τὸ τὰ νόμιμα ἔτη μὴ γεγονέναι. Melius K-W: ἐάν τις ἢ λελητουργηκέναι λέγγ πρότερον ταύτην τὴν λητουργίαν, ἢ ἀτελῆς εἶναι· λελητουργηκέναι γὰρ ἑτέραν λητουργίαν καὶ τὸν χρόνον αὐτῷ τῆς ἀτελείας μὴ ἐξελθεῖν, ἢ τὰ νόμιμ[α] (incertum) ἔτη μὴ γεγονέναι.

18 παισὶ H-L. 20 ἀρχιθέωρους Torr coll. CIG 158 a 33 (H-L, K²); ἀρχιθέωρων Lipsius, Fränkel, K-W, B. Cf. Boeckh, ii 84³, n. 391.

19 *Harp. ὅτι νόμος ἐστὶν ὑπὲρ τεσσαράκοντα τῇ γενόμενον χορηγεῖν παισὶν Διοχρήνης τε ἐν τῷ κατὰ Τιμάρχου φησὶ καὶ Ἀρ. ἐν τῇ Ἀθ. πολ. (Frag. 431², 471²).

δυοῖν φυλαῖν εἰς] Ant. de Chor. 11, χορηγὸς κατεστάθη εἰς Θαργήλια καὶ θλαχὸν Κεκροπίδα φυλὴν πρὸς τῇ ἑμαντοῦ. Schol. Dem. Lept. 27, ἐν τοῖς Θαργήλοις δυοῖν φυλαῖν εἰς μόνος καθίστατο χορηγός.

ἀντιδόσεις] Lys. 24 § 10, εἰ—κατασταθεῖς χορηγός—προκαλεσαμένη αὐτὸν εἰς ἀντίδοσιν. Dem. Lept. §§ 40, 130, and Or. 42 adν. Phaeippum. [Xen.] de Rep. Ath. iii 4, χορηγοῖς διαδοῦσαι εἰς Διονύσια καὶ Θαργήλια. Cf. Boeckh, iv xvi, Meier and Schöm. p. 738 Lips.; Dict. Ant. s. v.

τὰς σκήψεις εἰσάγει] CIA ii 809 (of the στρατηγὸν, who dealt with ἀντιδόσεις in the case of the trierarchy and property-tax, just as the archon did in that of the χορηγία), ὅπως δ' ἂν καὶ αὐτὸς εἰσαχθῶσι. Meier and Schömann, p. 743 n.

λελητουργηκῶς ἑτέραν λητουργίαν] Dem. 50 § 9, τοῦτον ἐγὼ οὐδεμίαν πρόφασιν ποιούμενος ὅτι τριηραρχῶ, καὶ οὐκ ἂν δυναίμην δύο λητουργίας λητουργεῖν, οὐδὲ οἱ νόμοι ἐῷσιν.

καὶ τῶν χρόνων—μὴ ἐξεληλυθῶτων] 'or owing to the period of his exemption

having not yet expired.' The obligation to perform a λητουργία recurred only every other year, Dem. Lept. 7.

ὑπὲρ τετταράκοντα ἔτη] Aeschin. c. Timarch. § 11, κελεύει τὸν χορηγὸν τὴν οὐσίαν τὴν αὐτοῦ ἀναλίσκειν ὑπὲρ τετταράκοντα ἔτη γεγονότα τοῦτο πράττειν, ὡς ἥδη ἐν τῇ σωφρονεσάτῃ αὐτοῦ ἡλικία ὦν, οὕτως ἐντυγχάνη τοῖς ὑμετέροις παισιν.

εἰς Δῆλον χορηγούς] lex. Cantab. 670; Ἀθην. vii p. 480, no. 3 (Gilbert i 240); Thuc. iii 104, §§ 3, 6; Xen. Mem. iii 3, 12, χορὸς... ὁ εἰς Δῆλον πεμπόμενος, Lucian de Saltat. 16, ἐν Δῆλῳ δὲ γε οὐδὲν αἰ θυσίαι ἀνευ ὀρχήσεως, ἀλλὰ σὺν ταύτῃ καὶ μετὰ μουσικῆς ἐρίγοντο· παῖδων χοροὶ συνελθόντες ὑπ' αὐτῷ καὶ κιθάρα, οἱ μὲν ἐχόμενοι, ὑπαρχοῦντο δὲ οἱ ἀριστοὶ προκριθέντες ἐξ αὐτῶν. On the Delian πεντετηρίς, cf. 54 § 7.

ἀρχιθέωρον] Plut. Nic. 3 § 5. τῷ τριακοντορίῳ κτλ.] Xen. Mem. iv 8, 2, ἕως ἂν ἡ θεωρία ἐκ Δῆλου ἐπανέλθῃ, Plat. Phaed. p. 58 A; Plut. Theb. 23, τὸ πλοῖον, ἐν ᾧ μετὰ τῶν ἡθύνων ἐπλευσε καὶ πάλιν

21 ἡθέους ἄγοντι. πομπῶν δ' ἐπιμελεῖται τῆς τε] τῷ Ἀσκληπιῷ 4
 γυγνομένης, ὅταν οἰκουρῶσι μύ[σ]ται, καὶ τῆς Διονυσίων τῶν
 [μεγά]λων μετὰ τῶν ἐπιμελητῶν, οὓς πρότερον μὲν ὁ δῆμος

ἡθέους K.

23 ΓΙΝ (K-W).

<οί> μ. K-W, -ν <οί> μ. H-L.

§§ 4—7 Pollux viii 89: ὁ δὲ ἄρχων διατίθῃσι μὲν Διονύσια καὶ Θαργῆλια “μετὰ τῶν ἐπιμελητῶν,” δίκαι δὲ πρὸς αὐτὸν λαγχάνονται “κακώσεις,” “παρὰοίαι,” “εἰς δατητῶν (δατητῶν codd.) ἀφῃσιν,” ἐπιτροπῆς ὀφραῶν, ἐπιτρόπων καταστάσεως, “κλήρων καὶ ἐπικλήρων ἐπιδικασίαι. ἐπιμελεῖται δὲ καὶ” “τῶν γυναικῶν” αἱ δὲ φύσιν ἐπ’ ἀνδρὸς τελευτῇ κῆρυ, καὶ τοὺς οἴκους ἐκμῆσθαι τῶν ὀφραῶν. § 6 Lex. rhet. Cantab. ἐκῶντος ἄρχων... λαγχάνονται δὲ πρὸς αὐτὸν (Dobree: cod. παρ’ αὐτῶν) καὶ γραφαί· καὶ δίκαι εἰς τὸ δικαστήριον εἰσάγει. Bekk. An. 310: πρὸς τὸν ἄρχοντα κακώσεις ἐλαγχάνοντο γραφαὶ καὶ τῶν γυναικῶν, εἰ τοῦτον τις αἰτίαν ἔχοι κακοῦν, καὶ τῶν ὀφραῶν (ib. 269). Ἐπὶ δὲ παρὰοίαι καὶ ἀργίας, (κλήρων add. K-W) ἐπιδικασίαι καὶ ἐπικλήρων γυναικῶν. Phot. ἡγεμονία δικαστηρίου: τοῖς ἄρχουσιν οὐ πάσας πᾶσιν ἐφέετο δίκαι εἰσάγειν· ἀλλὰ τῷ μὲν ἄρχοντι τὰς τῶν ὀφραῶν καὶ τὰς τῆς παρὰοίαι καὶ τὰς τῶν ἐπικλήρων ἐπιδικασίας. Harp. ἡγ. δικ.: ...πρὸς μὲν τὸν ἄρχοντα αἱ τῶν ὀφραῶν καὶ τῶν ἐπικλήρων (ἐλαγχάνοντο δίκαι). Frag. 381², 420².

ἐσώθη, τὴν τριακοντόρον. Cf. Boeckh, *Seeurkunden*, pp. 76—79; A. Mommsen, *Heortologie*, p. 402. In the *Class. Rev.*, v 123 a, τριακοντόριον is described as an ‘entirely new word’; but it is actually found in a contemporary inscr. of B.C. 325/4, CIA ii 811, p. 261, col. 2, 180, τριακοντόριον κώπας.

ἡθέους] trisyllabic in Attic, Eur. *Phoen.* 945, οὐ γὰρ ἔστιν ἡθεός, and Eupolis *Incert.* 332 Kock, εἰ μὴ κόρη δέουσε τὸ σταῖς ἡθεός. The Homeric form ἡθεός is retained by editors in Plat. *Leg.* 840 D, 877 E.

§ 4. τῷ Ἀσκληπιῷ κτλ.] Philostr. *Vit. Apoll.* iv 18, τὰ δὲ Ἐπιδαύρια μετὰ πρόρρησιν τε καὶ λείψα δειρὸ μυνὲν Ἀθηναίους πατρίων ἐπὶ θυσιᾷ δευτέρᾳ, τοῦτι δ’ ἐνόμισαν Ἀσκληπιῷ ἔνεκα, ὅτι δὴ ἐμύσσαν αὐτὸν ἥκοντα Ἐπιδαυρόθεν ὀψέ μυστηρίων. The night of the 18th Boedromion, the eve of the festal march to Eleusis, was probably spent by the devout in sleeping in the temple of Asclepius, S. of the Acropolis (Mommsen, *Heortologie*, p. 253, ap. *Dict. Ant.* i 718 b).

Διονυσίων] The πομπή was on the 9th of Elaphebolion (about March 28). In it the statue of Dionysus Eleuthereus was carried from his temple in Limnae to another of his sanctuaries, near the Academy (Paus. i 29, Philostr. *Vit. Soph.* ii 15); and then brought back again and placed in the theatre. The procession included the priests and civil officials, the knights and the citizens in their tribes, as well as the *epheboi*, and the *canephoroi* (Schol. Arist. *Ach.* 242). Daremberg and Saglio, iii 242.

τῶν ἐπιμελητῶν] sc. τῆς πομπῆς. In

Dem. c. *Mid.* 15, they are described as elected by open voting, (Μειδίας) κελεύων ἑαυτὸν εἰς Διονύσια χειροτονεῖν ἐπιμελητῆν. In *Phil.* i § 35, Dem. implies that the functionaries concerned with the Dionysia were appointed by lot: τῇ μὲν τῶν Παναθηναίων ἑορτῇ καὶ τῇ τῶν Διονυσίων δὲ τοῦ καθήκοντος χρόνου γίγνεσθαι ἂν τε δεινὸν λάχουσιν ἂν τε ἰδιῶται οἱ τοῦτων ἑκατέρων ἐπιμελούμενοι. The first Philippic falls in the first half of B.C. 351. The speech against Midias is assigned by Dionys. Hal. *Epist. Ammon.* i 4, 4 (A. Schaefer, *Dem.* ii 103) to B.C. 349/8; the Dionysia at which Midias insulted Dem. fell two years before, early in April 351 or 350; and Midias must have been elected ἐπιμελητῆς either for 352/1 or 351/0. As the appointment of the ἐπιμελητῆς by lot had come into force in the first half of 351, Midias must have been elected ἐπιμελητῆς for 352/1, and the change was probably made between the Dionysia, early in April, and the end of the civil year, about June.

After the time when the text was written, the appointment by lot was apparently given up. In B.C. 281/0 (*Ἀθήν.* vii 480, no. 3) we have 10 ἐπιμελητῆς τῆς πομπῆς τῷ Διονύσιῳ representing only 6 or 7 of the tribes, and therefore probably elected out of the whole body of citizens, instead of being taken by lot, one from each tribe. After B.C. 265 (CIA ii 420) they are described as οἱ χειροτονηθέντες ἐπιμελητῆς τῆς πομπῆς and their number is 24 (two for each of the 12 tribes of that time). Daremberg and Saglio, s. v. iii 682—4.

ἐχειροτόνει δέκα ὄντας, [καὶ τὰ] εἰς τὴν πομπὴν ἀναλώματα παρ' αὐτῶν ἡ[εργ]ον, νῦν δ' ἓνα τῆς φυλ[ῆς ἐκά]στης κληροῖ, καὶ 15 5 δίδωσιν εἰς τὴν κατασκευὴν ἑκατὸν μνᾶς. ἐπιμελ[εῖται] δὲ καὶ τῆς εἰς Θαργήλια καὶ τῆς τῷ Διὶ τῷ Σωτήρι. διοικεῖ δὲ καὶ τὸν ἀγῶνα τῷ[ν Διων]υσίων οὗτος καὶ <τὸν> τῶν Θαργηλίων. ἐορτῶν 6 μὲν οὖν ἐπιμελεῖται τούτων. γραφαὶ δ[ὲ καὶ δ]ικαὶ λαγχάνονται πρὸς αὐτόν, ἃς ἀνακρίνας εἰς τ[ὸ δι]καστήριον εἰσά[γει, γο]νέων 30 κακώσεως (αὐταὶ δὲ εἰσιν ἀζήμιοι τῷ βουλευμένῳ δ[ιῶκ]ειν), ὀρφανῶν κ[ακώ]σεως (αὐταὶ δ' εἰσὶ κατὰ τῶν ἐπιτρόπων), ἐπι-

25 ΗΝ[ΕΡΓ]ΟΝ? (K, H-L), ΑΝΗΛΙΚΟΝ? (K-W), [ἀ]ν[ήλ]ισκ[ον] B. 28 τῶ[ν Διων] H, K-W, B: τῶ[ν τῶν Διων] H-L sed spatium non sufficit. <τὸν> τῶν Θ. K-W. 30 εἰ[ς] [eis] K; εἰ[ς] [eis <τὸν>] H-L; εἰς τ[ὸ] K-W (B): scriptura incerta. γονέων Wyse, Blass, K-W, H-L, K².

ἑκατὸν μνᾶς] Probably the sum granted to the whole body.

§ 5. τῆς εἰς Θαργήλια] sc. πομπῆς. On the second day there was a procession, as well as a cyclic chorus.

τῆς τῷ Διὶ τῷ Σωτήρι] This festival, which included a public sacrifice, was held on the 14th day of Scirophorion, the last month of the Attic year, either in Athens in the Cerameicus (so Hermann-Stark, *Gottesdienst. Alt.* § 61, 21; Boeckh, ii 117, 125 Fränkel; A. Schaefer, *Dem.* iii 337, n. 2; A. Mommsen, *Heortol.* p. 453), or in the Peiraeus (see esp. Wachsmuth, *Stadt Athen*, ii 143). The text does not help to decide the dispute as to the place where the festival was held. It should probably be distinguished from the θυσία to Ζεὺς Σωτήρι on the last day of the year (Lys. 26 § 6), which was also superintended by the archon. Shortly before B.C. 268 the sacrifice of the εἰσιτήρια for the βουλὴ and δῆμος was offered not by the archon, but by the priest of Ζεὺς Σωτήρι (CIA ii 325—6).

§ 6. γραφαὶ κτλ.] The archon *eponymus* succeeded to many of the judicial functions of the ancient kings, and was specially regarded as the public protector of those who were unable to defend themselves. This is shewn by the duties here assigned to him. Cf. *Dem.* 25 *Lacr.* 48, ἐπικληρῶν καὶ ὀρφανῶν καὶ τῶν τοκέων τῷ ἀρχοντι προστάταται ἐπιμελεῖσθαι, and the Law quoted in *Dem.* 43 *Macart.* 75. In the following list we have no clear distinction drawn between γραφαὶ and δίκαι.

ἀνακρίνας] *Dem. Olym.* 31, ὁ ἀρχων ἀνέκριε πᾶσιν ἡμῶν τοῖς ἀμφοσβητοῦσιν. Meier and Schöm. pp. 43, 823 Lips.; *Dict. Ant. s. v. Anakrissi.*

γονέων κακώσεως κτλ.] In Bekker's *Anecd.* p. 269, s. v. κακώσεως, the three kinds of κακώσεις are all mentioned in the same order, and in the same terms, as in the text: ἡ τοιαύτη δίκη οὕτως ἀπεφέρετο γονέων κακώσεως, ὀρφανῶν κακώσεως ἢ ὅκου ὀρφανικοῦ κακώσεως. On the various forms of κακώσεις cf. Meier and Schöm. p. 353—360 Lips.

κακώσεις γονέων was committed by those who struck or reviled their parents, or even were disobedient to them; by those who refused them the means of support... or did not bury them after their death and pay them proper honours' (*Dict. Ant. s. v.*); Xen. *Mem.* ii 2, 13, ἐάν τις γονέας μὴ θεραπεύῃ, τοῦτω δίκην τε ἐπιτίθῃσι καὶ ἀποδοκιμάζουσα οὐκ ἐφ' ἀρχῇν τοῦτον... ἐάν τις τῶν γονέων τελευτήσαντων τοὺς τάφους μὴ κοσμήῃ, καὶ τοῦτο ἐξετάζει ἡ πόλις ἐν ταῖς τῶν ἀρχόντων δοκιμασίαις. *Dem. Timocr.* 107, (the laws) οἱ καὶ ζῶντας ἀναγκάζουσι τοὺς παῖδας τοὺς γονέας τρέφειν, καὶ, ἐπειδὴν ἀποθάνουσιν, ὅπως τῶν νομιζομένων τύχουσιν. *Diog. Laert.* i 55 (lex Solonis), ἐάν τις μὴ τρέφῃ τοὺς γονέας, ἄτιμος ἔστω. *Isaeus* 8 § 32, (the law of κακώσεις) κελεῖται τρέφειν τοὺς γονέας. *Hyperides, pro Eux.* c. 21, φαῦλός ἐστι πρὸς τοὺς ἑαυτοῦ γονέας: ὁ ἀρχων ἐπὶ τοῦτον κάθηται.

ἀζήμιοι] *Dem.* 37 *Pan.* 46 (in a case of ἐπικληρῶν κακώσεις), τῷ ἐπεξιόντι μετ' οὐδεμιᾶς ζημίας ἡ βοήθεια.

ὀρφανῶν κακώσεως] committed by those who wronged orphans. *Dem. Macart.* § 75, ὁ ἀρχων ἐπιμελεῖσθαι τῶν ὀρφανῶν καὶ τῶν ἐπικληρῶν. *Schol. ad Dem. Timocr.* ὁ ἀρχων ἐπεμελεῖτο... τῶν ὀρφανῶν.

κληρου κακώσε[ως] (αὗται δὲ εἰσι κατὰ [τῶν] ἐπιτρόπων καὶ τῶν
 συνοικούντων), οἶκον ὀρφανικοῦ κακώσεως (εἰσὶ δὲ καὶ [αὗται κατὰ
 35 τῶν] ἐπιτρό[π]ων), παρανοίας, ἐάν τις αἰτιάται τινα παρανοοῦντα
 τὰ [ὑπάρχοντα ἀ]πολλύν[αι], εἰς δατητῶν αἵρεσιν, ἐάν τις μὴ
 'θέλῃ [κ]οινὰ [τὰ] ὄντα νέμεσθαι, εἰς ἐπιτροπῆς κατάστασιν, εἰς
 ἐπιτροπῆς διαδικασίαν, εἰς [ἐμφανῶν κατάστασ]ιν, †ἐπίτροπον

36 τὰ [ἐκείνου κτήματα] K, decem tantum litterarum spatium relictum con-
 fessus; τὰ [πατρῴα] Wyse (H-L), τῶν οἶκον K-W, sed plures litterae relictantur et
 τὰ fortasse legi potest; fortasse recte igitur τὰ [ὑπάρχοντα] B. ΔΙΑΙΤΗΤΩΝ :
 δατητῶν K (K-W, H-L, B) ex Harp. et lex. Cantabr. 38—39 εἰ [πλειότες τῆς αὐτῆς

36 *Lex. rhet. Cantabr. εἰς δατητῶν <αἵρεσιν> :...ἐπὶ τῶν διανεμῶντων τὰ κοινὰ
 πῶς, ὡς Ἀρ. ἐν τῇ Ἀθ. πολ. "δικαί λαγχάνονται πρὸς" τὸν ἄρχοντα ἄλλαι τε (Dobree ;
 ἀλλ' εἰ τις cod.) καὶ "εἰς δατητῶν αἵρεσιν," ὅταν "μὴ θέλῃ κοινὰ τὰ ὅσα νέμεσθαι."
 *Etyim. M. δατητής: παρ' Ἀττικοῖς ὁ διανεμητής. Ἀριστοτέλης. *Harp. δατεῖσθαι...τὸ
 δὲ εἰς δατητῶν αἵρεσιν εἶδος τι δικῆς ἐστίν. ὅποτε γὰρ κοινωνοῖν τινας ἀλλήλοις
 καὶ οἱ μὲν βούλονται διανεμῆσθαι τὰ κοινὰ, οἱ δὲ μὴ, ἐδικάζοντο οἱ βουλομένοι τοῖς μὴ
 βουλομένοις προσκαλούμενοι εἰς δατητῶν αἵρεσιν. Δυσίας ἐν τῷ πρὸς Ἀλεξίδημον ἐλ
 γνήσιος, καὶ Ἀρ. ἐν τῇ Ἀθ. πολ. (Frag. 383², 422²). Addit Suidas, s.v. δατεῖσθαι :
 δατητῶν κυρίως οἱ τὰ κοινὰ διανεμῶντες τοῖς μὴ βουλομένοις.

38 aut hic aut alibi in eodem capitulo (velut v. 37, ante εἰς ἐπιτροπῆς κατάστασιν)
 excidit εἰς ἐμφανῶν κατάστασιν. Cf. *Harp. s.v. infra exscriptum (Frag. 382², 421²).

ἐπικλήρου κακώσεως] committed by
 the guardians of poor heiresses; or by
 their nearest relatives, who either de-
 clined to marry them or give them a
 dowry, or who kept them out of their
 wedded rights. Law in Dem. *Macart.*
 54, 75. Isaeus 3 § 46, οὐκ ἂν εἰσῆγγε-
 λες πρὸς τὸν ἄρχοντα κακοῦσθαι τὴν ἐπι-
 κληρον...ἄλλως τε καὶ μόνων τούτων τῶν
 δικῶν ἀκινδύνως τοῖς διώκουσιν οὕσων καὶ
 ἐξὸν τῷ βουλομένῳ βοηθεῖν ταῖς ἐπικλή-
 ροις; and *ib.* 47 (cf. Meier and Schöm.
 p. 333 Lips.).

κατὰ τῶν ἐπιτρόπων κτλ.] These are
 the ordinary cases, but the statement is
 not exhaustive. Dem. 37 *Pant.* 45, ἡτι-
 ᾶσατο ἐκείνων—ἐπὶ τὰς ἐπικλήρους ἐισελεθεῖν
 καὶ τὴν μητέρα τὴν αὐτοῦ.

οἶκον ὀρφανικοῦ] 'an orphan's estate,'
 the regular technical sense of οἶκος, Xen.
Oec. i 5, = ὅσα τις ἔξω τῆς οἰκίας κέκτηται,
 and vi 4, = κτήσις ἡ σύμπασα. Thus, in
 Dem. 27 § 15, οἶκον μισθοῦν is 'to let the
 orphan's estate,' whereas in § 16 we have
 οἰκῶν οἰκίαν in a different sense.

παρανοίας] This suit might be in-
 stituted by a son (or other relative acting
 on his behalf), against one who had be-
 come mentally incapable of managing his
 own affairs. Plat. *Leg.* 928 D; Arist.
Nub. 844 ff.; Xen. *Mem.* i 2, 49; Aeschin.
c. Ctes. 251. Meier and Schöm. p. 566
 Lips.

εἰς δατητῶν αἵρεσιν] If, in a business

held in partnership, any one or more of
 the partners wished to retire, and the
 partners could not agree, those who in-
 sisted on the winding up of the concern
 might bring an action for the appoint-
 ment of liquidators (Harpocr. s. v. δα-
 τεῖσθαι). It has been conjectured that
 δατητῶν might be appointed even in cases
 not involving partnership in business, e.g.
 in disputes as to the division of an in-
 heritance, and that this was the original
 object of the legal process (Meier and
 Schöm. p. 483 Lips.). This is confirmed
 by the context, which refers to matters
 of family property and the duties of
 guardians. Probably it was only in the
 case of the inheritance of a citizen that
 the archon eponymus was the responsible
 official. Daremberg and Saglio, s. v.

ἐπιτροπῆς κατάστασιν] 'constituting
 a wardship.' In the absence of directions
 by will, the next of kin acted as ἐπίτροποι
 if authorised by the archon (e.g. the elder
 brother, Lys. c. *Theomn.* i 5; or the
 uncle, Isaeus, *Cleonym.* § 9). Failing re-
 latives suitable for the duty, the archon
 selected some one from the general body
 of citizens. Dict. Ant. *Epitropus*, i 751 b;
 Meier and Schöm. p. 552.

ἐπιτροπῆς διαδικασίαν] 'deciding be-
 tween rival claims to a wardship.' Meier
 and Schöm. p. 471 ff. Lips.; and Lipsius,
Leipzig Verhandl. p. 50.

εἰς ἐμφανῶν κατάστασιν] This clause

7 αὐτὸν ἐγγράφαι†, κλήρων καὶ ἐπικλήρων ἐπι[δικασίαι. ἐπιμε-
λείτ]αι δὲ καὶ τῶν [ὀρφ]ανῶν καὶ τῶν ἐπικλήρων, καὶ τῶν 40
γυναικῶν ὅσαι ἂν τελευτήσαντος τοῦ ἀνδρ]ὸς σκῆ[πτω]νται
κνεῖν· καὶ κύριός ἐστι τοῖς ἀδικούσιν ἐπιβάλλ[λειν, ἢ εἰσάγειν
εἰς] τὸ δικα[στή]ριον. μισθοὶ δὲ καὶ τοὺς οἴκους τῶν ὀρφανῶν
καὶ τῶν ἐπικλήρων, ἕως ἂν τις τετταρ]ακαίδε[κέ]τις γένηται,

θελῶν ἐπιτροπὸν αὐτὸν ἐγγράφαι K²; ἐὰν πλείους ἅμα ἐθελῶν ἐπιτροπὸν <τὸν>
αὐτὸν ἐγγράφαι H-L: εἴαν τις ἀμφισβητῇ δεῖν Lipsius (Poland). eis [ἐμφανῶν κατὰ-
στασιν ex Harp., ἐπιτροπῶν αὐτὸν ἐγγράφαι K-W, K², verba tria ultima non in-
telligi posse confessi (B); ei fere certum, etiam eis vix ambiguum. 39 ΕΝΓΡΑΦΑΙ.
42 ἢ εἰσάγειν Lipsius, K-W, K², B: ζημίαν ἢ ὄγειν K¹ (H-L) sed spatium vix sufficit.
H

44 post ἐπικλήρων lacunam indicant K-W.

AKAIΔ...ΤΕΙC; ὁ[ατη]τῆς K; δ...της
K-W; ἐὰν μὴ αὐτὸς δὲ ἐπιτροπὸς διοικῆται γένηται aut simile aliquid expectabat Her-
werden. [ἕως ἂν τις τετταρ]ακαίδε[κέ]τις γένηται optime B.

is suggested by Harpocr. s. v., ὃ δὲ Ἄρ.
ἐν τῇ Ἀθ. πολ. πρὸς τὸν ἀρχοντὰ φησι
λαγχάνεσθαι ταύτην τὴν δίκην, τὸν δὲ ἀνα-
κρίναντα εἰσάγειν εἰς τὸ δικαστήριον. It is
placed here by Kaibel and Wilamowitz,
by Mr Kenyon (ed. 3), and by Blass.
But there is something to be said in
favour of placing it (with Lipsius) before
eis ἐπιτροπῆς κατὰστασιν, and filling up
the lacuna with words that agree with the
sequel, ἐπιτροπὸν αὐτὸν ἐγγράφαι.

Isaeus, 6 § 31, ἀπῆγει τὸν Πυθόδωρον
τὸ γραμματεῖον καὶ προσεκάλεσάτο εἰς ἐμ-
φανῶν κατὰστασιν. κατεστήσαντος δὲ
ἐκείνου πρὸς τὸν ἀρχοντα κτλ. Dem. 53
§ 14, ἐξ ἐμφανῶν κατὰστασιν. A man in
possession of goods or documents, which
another person either owned or had a
legal right to inspect, might be required
by the latter to produce them, ἐμφανῇ
καταστήσαι. If he refused, he might be
fined; on the other hand, the party sum-
moned might disclaim possession of the
things required or decline to admit the
obligation of producing them. In either
case the person demanding their produc-
tion might bring an action eis ἐμφανῶν
κατὰστασιν. Meier and Schöm. p. 478
Lips.

In the present context, the phrase can
only refer to procedure connected with
cases of inheritance (ib. p. 59).

κλήρων καὶ ἐπικλήρων ἐπιδικασίαι] Dem. 43 Macari. 16. When a person
claimed an inheritance or heiress adjudged
to another, the former summoned the
latter before the archon, who brought the
case into court. Meier and Schöm. pp.
603—617 Lips.

§ 7. τῶν ὀρφανῶν κτλ.] The archon
is ἐπικλήρων καὶ ὀρφανῶν κύριος (Lysias,
26 Evand. 12). Cf. Dem. 43 § 75 (lex), ὃ

ἀρχων ἐπιμελεσθῶ τῶν ὀρφανῶν καὶ τῶν
ἐπικλήρων καὶ τῶν οἴκων τῶν ἐξερημου-
μένων καὶ τῶν γυναικῶν, ὅσαι μένουσιν ἐν
τοῖς οἴκοις τῶν ἀνδρῶν τῶν τεθνηκότων φάσ-
κουσαι κνεῖν. τοῦτων ἐπιμελεσθῶ καὶ μὴ
ἐάτω ὑβρίζειν μηδὲνα περὶ τούτων. ἐὰν δέ
τις ὑβρίσῃ ἢ ποιῇ τι παράνομον, κύριος ἐστὶν
ἐπιβάλλειν κατὰ τὸ τέλος. [Dem.] 35
§ 48; Aesch. 1 § 158.

μισθοί] Isaeus 3 § 36, μισθοὺν ἐκέλευον
τὸν ἀρχοντα τοὺς οἴκους ὡς ὀρφανῶν ὄντων,
ὅπως... τὰ ἀποτιμήματα κατασταθῇ καὶ
ἄροι τεθείεν, 2 § 9, μετασχὼν τοῦ οἴκου τῆς
μισθώσεως τῶν παίδων τοῦ Νικίου, and 11
§ 34, Lys. 32 c. Diag. 23, ἐξῆν αὐτῷ κατὰ
τοὺς νόμους αὐτοῦ κείνται περὶ τῶν ὀρφανῶν...
μισθῶσαι τὸν οἶκον. Dem. 27 Aphod. A
58, ἐξῆν (τῷ ἐπιτρόπῳ) μηδὲν εἶχειν τούτων
τῶν πραγμάτων μισθώσαντι τὸν οἶκον, and
29 § 60. The income was often more than
12 per cent.

The lessees had to give security (ἀποτι-
μήμα) for the property leased to them.
The archon sent certain persons (ἀποτι-
μηταί) to value the security and deter-
mine whether it was a fair equivalent for
the property leased (Harpocr. s. v. ἀποτι-
μηταί· οἱ μισθώμενοι τοὺς τῶν ὀρφανῶν
οἴκους παρὰ τοῦ ἀρχοντος ἐπέχυρα τῆς μισ-
θώσεως παρέλχοντο· ἔδει δὲ τὸν ἀρχοντα
ἐπιπέμειν τινὰς ἀποτιμησομένους τὰ ἐπέ-
χυρα. τὰ μὲν οὖν ἐπέχυρα τὰ ἀποτιμώμενα
ἐλέγοντο ἀποτιμήματα κτλ.). On land thus
offered as security a δρος was placed,
with an inscr. stating the person for whose
property it served as security, CIA ii 1135,
δρος χωρίου καὶ οἰκίας ἀποτιμήματα παιδὶ
ὀρφανῷ Διογέτονος Προβα[λίου]. Meier
and Schöm. p. 362—3 Lips.; Schulthess,
Vormundschaft, pp. 139—173.

τετταρακαίδε[κέ]τις] If this restoration
is correct (and none better has been pro-

45 καὶ τὰ ἀποτιμήματα λαμβάν[ει· καὶ τοὺς ἐπιτρόπους]. ἐὰν μ[ὴ] ἀπο]δῶσι τοῖς παισὶν τὸν σίτον, οὗτος εἰσπράττει.

57. καὶ ὁ [μὲν ἀρχων ἐπιμελεῖται] τοῦτ[ων]. ὁ δὲ] βασιλεὺς πρῶτον μὲν μυστηρίων ἐπιμελεῖ[ται μετὰ τῶν ἐπιμελητῶν οὓς] ὁ δῆμ[ος χ]ειροτονεῖ, δύο μὲν ἐξ Ἀθηναίων ἀπάντων, ἓνα δ' <ἐξ> [Εὐμολπίδων, ἓνα] δ' <κ> Κηρ[ύκων]. ἔπειτα Διονυσίων τῶν ἐπὶ

45 καὶ τοὺς ἐπιτρόπους E H Brooks (K-W, H-L, B); καὶ οἱ ἐπίτροποι (hiatu ad-misso) quondam conieci. EAM (K, K-W, B): οἱ δὲ (ex ol' ἐάν) van Leeuwen (H-L).

46 [ἀπο]δῶσι et Wysis et mihi olim placuit (K²): [διδ]ῶσι K-W, B, ἀποδιδῶσι H-L.

LVII 1 ὁ μὲν ἀρχων Blass et Herwerden (K-W, H-L, K²): οὗτος μὲν οὖν K¹. 3 χειροτονεῖ Harp. (K¹). 4 Εὐμολπίδων K ex Harp.: ἐξ Εὐμολπίδων—ἐκ Κηρύκων Gertz (K-W, H-L, B).

TESTIMONIA. LVII § 1 *Harp. ἐπιμελητῆς τῶν μυστηρίων: παρ' Ἀθηναίους ὁ λεγόμενος βασιλεὺς... Ἀρ. ἐν Ἀθ. πολ. φησὶν οὕτως: "ὁ δὲ βασιλεὺς—τῶν μυστηρίων—χειροτονεῖ (Bekker et Müller; χειροτονεῖ codd.) ἓνα δ' ἐξ Εὐμολπίδων, ἓνα δ' ἐκ Κηρύκων. Suid. et Etym. M. τέσσαρες δὲ ἦσαν, δύο μὲν ἐξ... ἐκ... καὶ ἐκ... (Frag. 386², 425²). Pollux viii 90: ὁ δὲ βασιλεὺς μυστηρίων πρόστακε "μετὰ τῶν ἐπιμελητῶν" καὶ Ἀθηναίων καὶ ἀγῶνων τῶν ἐπὶ λαμπάδι (cf. Lex. Dem. Patm. p. 11) καὶ (add. Schol. Pl. *Euthyphr.* p. 325) τὰ περὶ τὰς πατρὸς θυσίας διοικεῖ (cf. Heraclides epitom., Rose Frag. 611, 8, ὁ δὲ βασιλεὺς τὰ κατὰ τὰς θυσίας διοικεῖ. Schol. in Plat. *Phaedr.* 235 D, ὁ δὲ βασιλεὺς μυστηρίων προνοεῖται καὶ τὰς θυσίας τὰς πατρὸς διοικεῖ). Bekk. A. n. p. 219, 14: "...ὁ δὲ βασιλεὺς "μυστηρίων ἐπιμελεῖται μετὰ τῶν ἐπιμελητῶν οὓς ὁ δῆμος" χειροτονεῖ. Phot. ἡγεμονία δικαστηρίου, ad fin. ὁ βασιλεὺς καὶ τῶν μυστηρίων ἅμα τοῖς ἐπιμεληταῖς πρόσταται. Cf. Frag. 385², 422².

posed), we here have the age at which the *ἐπίαλρος* ceased to be under the care of the archon. Nothing has hitherto been known on this point (Schulthess, p. 177). Isaeus (6 § 14) simply tells us that one Callippe would naturally have ceased to be under an *ἐπίτροπος* at the age of 30 (τριακοντοῦσις).

ἀποτιμήματα] here of lands offered as security by persons who had the estates of minors leased to them. The term is also applied to the security which a husband gives the *κύριος* of his wife as a guarantee that her marriage-portion (of which he has the usufruct) will remain intact (Meier and Schöm. p. 518). [Dem.] 49 § 11, ὁ... ἐν πεδίῳ ἀγρὸς ἀποτιμήματα τῷ παιδί τῷ Εὐμηλίδου καθιστῆται. Cf. Schulthess, l.c. p. 157, and see note on *μισθοί*, above.

σίτον] Pollux viii 33, σίτος δὲ ἐστὶν αἱ ὀφειλόμενα τροφαί. Cf. Harp. in *Testim.*, and Meier and Schöm. p. 515—6 Lips.

LVII. *The archon basileus.*

§ 1. *Βασιλεὺς*] The archon basileus succeeded to the religious duties of the ancient kings. Gilbert i 241; Meier and Schöm. p. 61 Lips.

μυστηρίων] [Lys.] 6 c. *Andoc.* 4, ἀν... λάχη βασιλεὺς, ἄλλο τι ἢ ὑπὲρ ἡμῶν καὶ

θυσίας θύει καὶ εὐχὰς εἴζεται κατὰ τὰ πάτρια, τὰ μὲν ἐν τῷ ἐνθάδε Ἑλευσινίῳ, τὰ δὲ ἐν τῷ Ἑλευσινίῳ ἱερῷ, καὶ τῆς ἐορτῆς ἐπιμελεῖται μυστηρίους;

ἐπιμελητῶν] sc. τῶν μυστηρίων. Dem. 21 § 171, χειροτονήσατε τοῦτον (Midias) μυστηρίων ἐπιμελητῆρ. We have decrees in honour of these ἐπιμεληταί in CIA ii 315 (= Ditt. 386, 26; B.C. 283/2 or 282/1), and 376 (before end of 3rd cent. B.C.). In each of these decrees the compliment is paid to the two ἐπιμεληταί elected out of the whole body of the citizens, and not to those belonging to the Κήρυκες and Εὐμολπίδαι. Cf. CIA ii 741 (= Ditt. 374, 10; B.C. 334/3, [ἐγ] Διονυσίων τῶν [ἐπὶ Ἀθηναίῳ] παρὰ μυστηρίων ἐπιμελητῶν.

Κηρύκων] CIA ii 597 (a decree of the Κήρυκες, about the age of Alexander): ἐπεὶ δὲ Εὐθύδημος ὁ πάρεδρος τοῦ βασιλέως καλῶς καὶ φιλοτίμως μετὰ τοῦ βασιλέως καὶ τοῦ γένους τοῦ Κηρύκων ἐπεμελήθη τῶν περὶ τὰ μυστήρια κτλ.

τῶν ἐπὶ Ἀθηνῶν] held in the district called Αἰμναί, S. E. of the Acropolis, about Jan. 28—31 (Dict. Ant. i 638). It was the festival at which Comedies were generally produced, e.g. the *Acharnians*, *Equites*, *Vespae* and *Kanai*.

Ληναίῳ ταῦτα δ' ἐστὶ [πομπή καὶ μουσικῆς ἀγών. τήν] μὲν οὖν 5
 Col. 19.] πομπὴν κοινῇ πέμψουσιν ὃ τε βασιλεὺς καὶ οἱ ἐπιμεληταί· τὸν
 δὲ ἀγῶνα διατίθουσιν ὁ βασιλεὺς. τίθησι δὲ καὶ τοὺς τῶν λαμ-
 πάδων ἀγῶνας ἅπαντας· ὡς δ' ἔπος εἰπεῖν [[καί]] τὰς πατρίους
 2 θυσίας διοικεῖ οὗτος πάσας· γραφαὶ δὲ λαγχάνονται πρὸς αὐτὸν
 ἀσεβείας, κἄν τις ἱερωσύνης ἀμφισβητῇ πρὸς τινα· [διαδι]κάζει 10
 δὲ καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι τὰς ἀμφισβητήσεις τὰς ὑπὲρ
 [τῶν γε]ρῶν ἀπάσας οὗτος. λαγχάνονται δὲ καὶ αἱ τοῦ φόνου
 δίκαι πᾶσαι πρὸς τοῦτον, καὶ ὁ προαγορεύων εἰργεσθαι τῶν

§ 5 ΛΗΝΑΙΩΝ. [πομπή καὶ ἀγών. τήν] H-L, K², B: [πομπή καὶ μουσικῆς
 ἀγών. τήν] K-W. Supplementum illud parum multas, hoc parum paucas, litteras
 habere arbitrat K, sed (nisi fallor) fere viginti litteris spatium aptum est, ut
 ΠΟΜΠΗΚΗΜΟΥΣΙΚΗΚΑΓΩΝΗ litteras undeviginti continere possit. 7 ΤΙΘΗΣΙ
 (K, B): <δια>τίθησι Richards, Gertz, K-W, H-L. 8 καὶ del. K-W, H-L.
 9 'quidni oδτος διοικεῖ?' B. 10 ἱερωσὶν K-W, Meisterhans, p. 362.
 ΠΡΟCΤΙΝΑ (K-W, H-L, K², B); διαδικάζει addendum putat B: προστιμῆ Bekk. Anec.
 (K¹). 12 γερῶν K e Bekk. An. 219 (K-W, H-L, B): ἱερῶν (quod etiam in ectyπο
 videt B, coll. Bekk. An. 310), Richards.

§ 3 Pollux viii 90: δίκαι δὲ πρὸς αὐτὸν λαγχάνονται ἀσεβείας, ἱερωσύνης ἀμφισβη-
 τήσεως. καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι (e schol. Pl. Bekk.: ἱεροῖς libri) πᾶσιν αὐτοῖς
 δικάζει. Bekk. An. p. 219, 16: "γραφαὶ δὲ λαγχάνονται πρὸς αὐτὸν ἀσεβείας. καὶ ἂν τις
 ἱερωσύνης" ἀμφισβήτησιν προστιμῆ. "διαδικάζει δὲ καὶ τοῖς γένεσι καὶ τοῖς ἱερεῦσι τὰς
 ἀμφισβητήσεις τὰς ὑπὲρ τῶν γερῶν. λαγχάνονται δὲ—πρὸς τοῦτον." Phot. ἡγεμονία
 δικαστηρίου...τῷ μόνῳ γε βασιλεῖ τὰς τε φονικὰς καὶ τὰς τῆς ἀσεβείας καὶ ἂν τις
 ἱερωσύνης ἀμφισβήτησιν, πρότερον δὲ καὶ τὰς περὶ τῶν γερῶν (λερῶν codd., corr. Meier) τοῖς
 ἱερεῦσιν ἀμφισβήτησιν. προγγόρευε δὲ καὶ τῶν νομίμων εἰργεσθαι τοὺς ἐν αἰτίᾳ. Pollux
 viii 90 προαγορεύει δὲ τοῖς ἐν αἰτίᾳ ἀπέχεσθαι μυστηρίων καὶ τῶν ἄλλων νομίμων κτλ.
 Bekk. An. 310, 6: ὁ βασιλεὺς εἰσάγει τὰς φονικὰς ἀπάσας, ἐπεὶ καὶ προαγορεύει τὸν
 ἀνδρόφονον εἰργεσθαι τῶν νόμων (leg. νομίμων), καὶ περὶ τῶν λερῶν (leg. γερῶν) καὶ
 τοῖς γένεσι δικάζει.

πομπή κτλ.] 'law of Euegoros' in Dem.
 c. Mid. 10, ἡ ἐπὶ Ληναίῳ πομπή καὶ οἱ
 τραγῳδοὶ καὶ οἱ κωμῳδοί. Cf. Plat. *Protag.*
 327 E, and Schol. Arist. *Eq.* 547. The
 mistake in the MS (Ληναίῳ for Ληναίῳ)
 possibly arose out of such phrases as ἐνίκα
 δὲ ἐπὶ Ληναίῳ (Schol. Aeschin. 2 § 15).

διατίθησι...τίθησι] See note on 54 § 2,
 καταγιγνώσκουσι...τὸ γνωσθέν.

λαμπάδων ἀγῶνας] At the Panathenaea
 (Mommson, *Horol.* p. 169 f.) and Thesea
 (ib. 282), and the festivals of Hephaes-
 tus (ib. 311 f.), Prometheus and Pan.
 Plut. *Sol.* 1 ad fin. The expenses con-
 nected with the torch-race were borne by
 a γυμνασιάρχος. In CIA ii 606 we have
 a decree in honour of a γυμνασιάρχος re-
 citing the names of certain λαμπαδηδρόμοι
 (about 350 B.C.). Law-suits concerning
 the γυμνασιάρχος came before the archon
 basileus (Dem. 35 § 48).

ὡς ἔπος εἰπεῖν] here modifying πάσας.
 Cf. 49 § 5; and 2 § 3, ὡς εἰπεῖν, with
 οὐδενός.

πατρίους θυσίας] *Pol.* 1285 b 16, αὶ
 πάτρια θυσία κατελείφθησαν τοῖς βασι-
 λεῦσι μόνον, Plat. *Politicus*, 120 E, τῷ
 λαχόντι βασιλεῖ φασι τῆδε (at Athens) τὰ
 σεμνότερα καὶ μάλιστα πάτρια τῶν ἀρ-
 χαίων θυσίων ἀποδεύσθαι. Athen. 234 F,
 κἄν τοῖς τοῦ βασιλέως δὲ νόμοις γέγραπται
 θύειν τῷ Ἀπόλλωνι τοὺς Ἀχαρνέων παρα-
 σίτους.

§ 2. γραφαὶ κτλ.] Meier and Schöm.
 p. 61—64 Lips.

ἀσεβείας] Hypereides, *pro Eux.* c. 21,
 ἀσεβεῖ τις περὶ τὰ ἱερὰ; γραφαὶ ἀσεβείας
 εἰσὶ πρὸς τὸν βασιλέα. Meier and Schöm.
 pp. 62, 367 Lips.

ἱερωσύνης] a hereditary priesthood.
 Cf. c. 42, 36, κἄν τινα κατὰ τὸ γένος
 ἱερωσύνη γένηται.

τῶν γερῶν] Bekk. Anec. 219, 16 (τῶν
 ἱερῶν, ib. 310, 6, and Photius), quoted in
Testim. c. 6. Aeschin. c. *Ctes.* 18, τοὺς
 ἱερεῖς τοὺς τὰ γέγρα μόνον λαμβάνοντας.

εἰργεσθαι τῶν νομίμων] inf. § 4, εἰργε-
 ται τῶν ἱερῶν. Soph. *O. T.* 236 ff.; Dem.

νομίμων οὗτός ἐστιν. εἰσὶ δὲ φόνο[υ] δίκαι καὶ τραύματος, ἂν μὲν 3
 15 ἐκ προνοίας ἀποκτείνῃ ἢ τρώ[σ]ῃ, ἐν Ἀρείφ πάγῳ, καὶ φαρμάκων,
 ἐὰν ἀποκτείνῃ δούς, καὶ πυρκαϊᾶς· [ταῦ]τα γὰρ ἡ βουλὴ μόνα
 δικάζει· τῶν δ' ἀκουσίων καὶ βουλευσεως, κὰν οἰκέτην ἀποκτείνῃ

14 ἐὰν H-L. 18 ἢ τρώ[σ]ῃ K-W, quod fortasse legi posse recte (ut videtur)
 censet K: ΕΝΓΡ? ἔγγραφεταί K; <τις>, γράφεται H-L. ΦΑΡΜΑΚΟΝ (K, H-L,
 B): φαρμάκων K-W Pollucem secuti. 16 πυρκαῖας B. μὴ van Leeuwen (H-L).

§ 8 Pollux viii 90: καὶ τὰς τοῦ φόνου δίκας εἰς Ἀρειὸν πάγον εἰσάγει. ib. 117 Ἀρειὸς
 πάγος: ἐδίκαζε δὲ φόνον καὶ τραύματος ἐκ προνοίας, καὶ πυρκαϊᾶς, καὶ φαρμάκων, ἐὰν τις
 ἀποκτείνῃ δούς. Bekk. An. 311, 9 περὶ Ἀρειοῦ πάγον: αὕτη κρίνει τὰς φονικὰς δίκας
 καὶ φαρμάκων καὶ πυρκαϊᾶς.

17—18 *Harp. ἐπὶ Παλλαδίῳ...δικαστήριον οὕτω καλούμενον, ὡς καὶ Ἀρ. ἐν Ἀθ. πολ.,
 ἐν ᾧ δικάζουσιν ἀκουσίον φόνον οἱ ἐφέται. Hesych. δικαστήριον ἐνθα ἐδίκαζον οἱ ἐφέται
 τοῖς ἀκουσίων φόνων δικασμένοι. Eust. in Od. p. 1419, 53: ἐδίκαζον δὲ κατὰ Πανυσανίαν
 ἐκεῖ ἀκουσίον φόνον οἱ ἐφέται. Bekk. An. 311, 8: δικάζουσι δ' ἐν τούτῳ οἱ ἐφέται
 (Frag. 417², 457²). Schol. in Aeschin. 2 § 87: ἐπὶ τούτῳ ἐκρίνοντο οἱ ἀκούσιοι φόνοι.
 οἱ δὲ ἐν τούτῳ τῷ δικαστηρίῳ δικάζοντες ἐκαλοῦντο ἐφέται, ἐδίκαζον δὲ ἀκουσίον φόνον καὶ
 βουλευσεως καὶ οἰκέτην ἢ μέτοικον ἢ ξένον ἀποκτείναντι. Cf. Poll. viii 118.

17 *Harp. βουλευσεως, infra exscriptus (Frag. 418², 458²).

Lept. 158, (Δράκων) γράφω χέρνιβος ἐρ-
 γεσθαι τὸν ἀνδρόφονον, σπονδῶν κρατήρων
 ἱερῶν ἀγορᾶς, Ant. de Chor. 34, 40, Herod.
 10. Pollux viii 66, ἐργονταὶ ἱερῶν καὶ ἀγο-
 ρᾶς οἱ ἐν κατηγορίᾳ φόνον, ἔχει κρίσεως
 καὶ τοῦτο προαγόρευσις ἐκαλεῖτο. Dem.
 Macart. 1069, προειπεῖν. The text shews
 that we are not justified in restricting the
 πόρρησις to the next of kin, to the ex-
 clusion of the archon basileus (as urged
 by Philippi, Areop. p. 70).

§ 3. φόνον δίκαι.] Pol. 1300 b 24, φονικὸν
 μὲν οὖν εἶδη, ἂν τ' ἐν τοῖς αὐτοῖς δικασταῖς
 ἂν τ' ἐν ἄλλοις, περὶ τε τῶν ἐκ προνοίας καὶ
 περὶ τῶν ἀκουσίων καὶ ὅσα ὁμολογεῖται μὲν
 ἀμφισβητεῖται δὲ περὶ τοῦ δικαίου, τέταρτον
 δὲ ὅσα τοῖς φεύγουσιν ἐπὶ καθόδῳ ἐπιφέ-
 ρεται φόνον, οἷον Ἀθήνησι λέγεται καὶ τὸ ἐν
 Φρεαττίῳ δικαστήριον. Meier and Schöm.
 p. 376—387 Lips.

τραύματος] Dem. p. 1018, 9, τραυματὸς
 με εἰς Ἀρειὸν πάγον προσεκαλέσατο, 54
 § 18, τραύματος γραφαί. Aeschin. F. L.
 93, Ctes. 51 and 212, τραύματος ἐκ
 προνοίας γραφὰς γραφόμενος. It was
 only 'wounding with intent to kill' that
 was classed with φόνος; in the absence
 of proof of such intent, the case was one
 of unlawful wounding (αἰκία, 52 § 2).

ἐκ προνοίας κτλ.] Dem. 23 c. Aristocr.
 24, γέγραπται γὰρ ἐν μὲν τῷ νόμῳ τὴν βου-
 λὴν δικάζειν φόνον καὶ τραύματος ἐκ προ-
 νοίας καὶ πυρκαϊᾶς καὶ φαρμάκων, ἐὰν τις
 ἀποκτείνῃ δούς. Lucian, Apacharsis 19.

φαρμάκων] Philippi, Areop. pp. 41,
 51. Meier and Schöm. p. 382 Lips.
 ἐὰν ἀποκτείνῃ δούς] Ant. de Chor. 17,

εἰ τὸν δόντα τὸ φάρμακόν φασιν αἰτιον
 εἶναι, ἐγὼ οὐκ αἰτίος. It was probably
 essential that actual death should ensue,
 and that the poison should have been
 administered by the person charged be-
 fore the Areopagus: 'etenim qui per
 alium curasset ut venenum daretur, eum
 oportuit βουλευσεως accusari' (Forch-
 hammer, de Areop., p. 30). Similarly
 Antiphon, Or. 1, κατηγορία φαρμακείας,
 is really a case of βουλευσις, which would
 be tried by οἱ ἐπὶ Παλλαδίῳ.

ἐκ προνοίας applies to φαρμάκων as well
 as to φόνον κ.τ.λ.: Magn. Mor. i 16 (17),
 φασὶ ποτὲ τινα γυναῖκα φίλτρον τιπὶ δούνα
 πιεῖν, εἰτα τὸν ἀνθρώπον ἀποθανεῖν ὑπὸ
 τοῦ φίλτρον, τὴν δ' ἀνθρώπον ἐν Ἀρείφ
 πάγῳ ἀποφυγεῖν· οὐ παρούσαν δι' οὐδὲν
 ἄλλο ἀπέλυσαν ἢ διότι οὐκ ἐκ προνοίας
 πυρκαϊᾶς] Meier and Schöm. p. 387
 Lips.

ἀκουσίων κτλ.] Schol. Aeschin. F. L.
 § 87, ἐδίκαζον δ' ἀκουσίον φόνον καὶ βου-
 λεύσεως καὶ οἰκέτην ἢ μέτοικον ἢ ξένον ἀπο-
 κτείνει (MSS; ἀποκτείναντι Sauppe; καὶ τις
 οἰκέτην—ἀποκτείνει Wyse).

βουλευσεως] 'conspiracy (against life).'
 Harpocr. (and Suidas) s. v.—ὅταν ἐξ ἐπι-
 βουλῆς τις τινα κατασκευάσῃ θάνατον, ἐὰν
 τε ἀποθάνῃ ὁ ἐπιβουλευθεὶς ἐὰν τε μὴ.—
 μάρτυς Ἰσάιος ἐν τῷ πρὸς Εὐκλείδην, ἐπὶ
 Παλλαδίῳ λέγων εἶναι τὰς δίκας, Δείναρχος
 δὲ ἐν τῷ κατὰ Πιστίου ἐν Ἀρείφ πάγῳ.
 Ἀριστοτέλης δ' ἐν τῇ Ἀθ. πολ. τῷ Ἰσάϊῳ
 συμφωνεῖ. Hesych. τὸ ἐπιβεβουλευκέναι
 θάνατον οὕτως Ἀθήνησιν ἐλέγετο. And.
 de Myst. 94, Ant. de Chor. 16. Meier

τις ἢ μέτοιικον ἢ ξένον, [οἱ ἐπὶ Π]α[λλ]αδίῳ· ἐὰν δ' ἀποκτείναι μὲν τις ὁμολογῇ, φῆ δὲ κατὰ τοὺς νόμους, ο[ἷον] μοιχὸν λαβὼν ἢ ἐν πολέμῳ ἀγνοήσας ἢ ἐν ἄθλῳ ἀγωνιζόμενος, τοῦ[τρω] ἐπὶ 20 Δελφινίῳ δικάζουσιν· ἐὰν δὲ φεύγων φυγὴν ὧν αἰδεσίς ἐστιν, αἰ[τίαν] ἔχῃ ἀποκτείναι ἢ τρώσαι τινα, τοῦτρω δ' ἐν Φρεάτου δικάζουσιν· ὁ δὲ [ἀπολογ]εῖται προσορμισάμενος ἐν πλοίῳ.

18 ΟΙΕΤΙΠΠΑΛΛΑΔΙΩΙ? κ versus prioris parte ultima litteris evanidis scripta. τού[ψ] μὲν ἐπὶ Π. K-W, sed neque spatium sufficere neque litteras tout cerni posse censet K. [οἱ ἐφεται ἐπὶ Π.] Brooks, H-L, sed ne his quidem verbis satis spatii relictum. 20 τοῦ[τρω] ἐν τῷ ἐπὶ κ¹; τοῦ[τρω] ἐπὶ Brooks, H-L, K², B: τού[ψ] δ' [ἐπὶ] Lipsius (K-W), sed neque κ cerni posse neque spatium litterae aptum superesse putat K. 21 αἰδ[ίαν] (supra scr. p)εἰς. 22 αἰτίαν ἔχῃ ἀποκτείναι K-W (K¹, B, coll. Dem. 23 § 77): αἰτίαν προσλάβῃ κτείνει K¹ (H-L). Φρεάτου K-W, B coll. Dem. 23 § 77, 78, ubi Φρεατου pr. S; nomen ἀπὸ νινος Φρεάτου ἦρωος, καθά φησι Θεόφραστος, deducit Harp.; Φρεατοὶ Harp., Ar. Pol. 1300 b 29 codex Ambrosianus, Helladius in Phot. Bibl. 535 a 28, Suidas; ἐς Φρεάτου et ἐν Φρεάτ.. Hesychius: Φρεατοὶ Pollux, Bekk. Anec. 311, 20 (K, H-L).

18—21 *Harp. ἐπὶ Δελφινίῳ...δικάζονται δὲ ἐνταῦθα οἱ ὁμολογοῦντες μὲν ἀπεκτείναι δικαίως δὲ πεποιηκέναι τοῦτο λέγοντες, ὡς Δημ. ἐν τῷ κατ' Ἀριστοκράτους δηλοῖ κατ' Ἀρ. ἐν τῇ Ἀθ. πολ. Pollux viii 119:...οὗς ὁμολογεῖ μὲν ἀποκτείναι, δικαίως δ' ἔφη τοῦτο δεδρακέναι. Eustath. in Il. p. 1221, 30: δικαστήριον Ἀθήνησιν ἐπὶ τῶν ὁμολογούντων φασὶ δεδρακέναι μὲν φόνον, κατὰ νόμους δέ. Bekk. An. 311, 13. Suid. ex Phot. ἐπὶ Δ., Hesych. (Frag. 419², 459²).

22 ἐν Φρεάτου. Cf. Poll. viii 120 infra exscriptum.

and Schöm. p. 384—6 Lips.; Philippi, *Areogr.* p. 29—50; Dict. Ant. s. v.

ἐπὶ Παλλάδιῳ Dem. 23 § 71, δικαστήριον τὸ τῶν ἀκουσίων φόνων... τὸ ἐπὶ Παλλάδιῳ... ἐνταῦθ' ὑποκεῖται πρῶτον μὲν διωμοσία, δεύτερον δὲ λόγος, τρίτον δὲ γνώσις τοῦ δικαστηρίου... τὸν ἄλλον' ἐπὶ ἀκουσίῳ φόνῳ ἐν τισιν εἰρημένοις χρόνοις ἀπελθεῖν τακτὴν ὁδὸν καὶ φεύγειν ὥς ἂν αἰδέσθαι τινα τῶν ἐν γένει τοῦ πεπονθότος. Paus. i 28, 8. Philippi, *Areogr.* p. 23.

The Palladium and the Delphinium were probably S. E. of the Acropolis, near the Olympieum (Milchhöfer in Baumeister's *Denkm.* p. 179 f.).

μοιχὸν λαβὼν κτλ.] Dem. 23 § 55, ἂν τις ἐν ἄθλοις ἀποκτείνῃ τινά, ἂν ἐν πολέμῳ ἀγνοήσας, ἢ ἐπὶ δάμαρτι ἢ ἐπὶ μητρὶ ἢ θυγατρὶ, ἢ ἐπὶ παλλακῇ ἢ ἂν ἐπ' ἐλευθέρῳ παισὶν ἔχῃ. Cf. Lyx. i § 31. Philippi, P. 55.

ἐπὶ Δελφινίῳ Dem. 23 § 74, ἂν τις ὁμολογῇ μὲν κτείνειν ἐννόμως δὲ φῆ δεδρακέναι. Paus. i 28, 10, Pollux viii 119, ἰδρῶσθαι ὑπὸ Αἰγέως λέγεται Ἀπόλλωνι Δελφινίῳ.

ἐὰν δὲ φεύγων—τινα Dem. 23 § 77, δικαστήριον τὸ ἐν Φρεατοῖ. ἐνταῦθα... κελεύει δικὰς ὑπέχειν ὁ νόμος, ἐὰν τις ἐπ' ἀκουσίῳ φόνῳ πεφευγώς, μήπω τῶν ἐκβαλ-

λόντων αὐτὸν ἡδεσμένων, αἰτίαν ἔχῃ ἑτέρου φόνου ἐκουσίου. Meier and Schöm. p. 379 f.

ἐν Φρεάτῳ] i. c. § 78, ἐπὶ θαλάττῃ (near the harbour of Zea). Paus. i 28, 11, ἐστὶ δὲ τοῦ Πειραιῶς πρὸς θαλάττῃ Φρεατὸς. Philippi, *Areogr.* p. 48. There can be little doubt that the place derived its name from φρέαρ, and was so called long before the invention of the eponymous hero Φρέατος. Ulrichs puts it west of the entrance to the harbour of Zea, at a point where there is a very small bay with a landing-place to the S.W.; near the latter is an oval depression, resembling a slipper-bath, hewn out of the rocky shore, with a small round pit in front of it, both of them filled by a spring of fresh water, called τὸ Τριπλόνερι (*Reisen*, ii 173). Milchhöfer, with perhaps more probability, prefers assigning it to the southern extremity of the tongue of land east of Zea (Baumeister's *Denkmäler*, p. 1200 a).

ἐν πλοίῳ] Dem. 23 § 78, ὁ μὲν ἐν πλοίῳ προσκτεῖσας λέγει, τῆς γῆς οὐχ ἀπτόμενος, οἱ δ' ἀκροῶνται καὶ δικάζουσιν ἐν τῇ γῇ. Paus. i 28, 11, οἱ πεφευγότες... πρὸς ἀκροῦμένους ἐκ τῆς γῆς ἀπὸ νεῶς ἀπολογούντα. Harpocr. s. v. ἐν Φρεατοῖ (φρεάτου libri). Pollux viii 120, τὸν ἐν

24 δικάζουσι δ' οἱ λαχόντες τα[ῦτα ἐφέται], πλὴν τῶν ἐν Ἀρείῳ 4

24 τα[ῦτα ἐφέται] ex Harp. K, K-W: τα[ῦτα δικασταί] Paton (H-L, B); τα[ῦτα πάντα] Lipsius.

24 Harp. ἐφέται infra exscriptus.

αἰτία προσπλεύσαντα τῆς γῆς οὐ προσπατόμενον ἀπὸ τῆς νεῶς ἐχρήν ἀπολογεῖσθαι, μήτ' ἀποβάδραν μήτ' ἀγκυραν εἰς τὴν γῆν βαλλόμενον. Helladius in Photius, *Bibl.* 535 a 28, ... ἐν Φρεατοῦ—(ὁ κρινόμενος) ἐπὶ τῆς ἐξωθεν τοῦ Πειραιῶς ἀπολογούμενος ἀγκυραν καθίει. Bekker, *Anecd.* 311, 17, ἐν Ζέῳ· τόπος ἐστὶ παράλιος. ἐνταῦθα κρίνεται ὁ ἐπὶ ἀκουσίῳ μὲν φόνῳ φεύγων, αἰτίαν δὲ ἔχων ἐφ' ἐκονσίῳ φόνῳ.—ἐν Φρεατοῦ· οἱ ἐπ' ἀκουσίῳ φόνῳ φεύγοντες, ἐπ' ὧλλῳ δὲ τινι κρινόμενοι· οἱ ἐπὶ πλοῖω ἐστῶτες ἀπολογούνται.

ἐφέται] Harpocr. s. v. οἱ δικάζοντες τὰς ἐφ' αἵματι κρίσεις ἐπὶ Παλλαδίῳ καὶ ἐπὶ Πρυτανείῳ καὶ ἐπὶ Δελφυνίῳ καὶ ἐν Φρεατοῦ (φρεάτους *libri*; Φρεατοῦ *Epitome*) ἐφέται ἐκαλοῦντο. It is agreed that Harpocr. derived his information from this treatise (Philippi, *Areopag.* p. 210), and this is the only passage where the term can be inserted.

The ἐφέται were 51 in number (law in Dem. *Macart.* 57); they were more than 50 years of age and were selected from noble families, ἀριστίνδων ἀρεθόντες (Pollux viii 125). The ἐφέται and the Areopagus were probably among the primitive institutions of Attica, being certainly earlier than Solon (Plut. *Sol.* 19) and perhaps earlier than Dracon. According to Lange, *die Epheten*, the 51 ἐφέται and the 9 archons formed the pre-Solonian Areopagus. But (as has been shewn by Mr J. W. Headlam, *Class. Rev.* vi 249—252) all our evidence respecting the ἐφέται is derived from legal and judicial documents, and there is no proof that they ever held any constitutional position outside the law-courts. The ἐφέται are named in CIA i 61 (B.C. 409), in a quotation from a law of Dracon incorporated in those of Solon: ἐὰν μὴ κ' προνοῶς κτελεῖν τις τινα, φεύγων, δικάζου δὲ τοὺς βασιλέας αἰτιῶν φόνου ἢ [ἐάν τις αἰτιῶται τὸν βου]λεύσαντα, τοὺς δὲ ἐφέτας διαγινώσκω (cf. Dem. *Macart.* 57 and *Aristocr.* 37). Solon reserved the φονικὰ δίκαια for the Areopagus, leaving the ἐφέται to preside in the four courts held in the precincts of the Palladium, Delphinium and Prytaneum, and 'in Phreatto.'

One of Solon's laws quoted in Plutarch's *Solon* 19, runs as follows:—ἐπιτίμους εἶναι πλὴν ὅσα ἐξ Ἀρείου πάγου

ἢ ὅσα ἐκ τῶν ἐφετῶν ἢ ἐκ τοῦ πρυτανείου καταδικασθέντες ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ ἢ σφαγαίῳ ἢ ἐπὶ τυραννίδι ἐφευγον. Here ἐπὶ φόνῳ refers to cases under the cognisance of the Areopagus, σφαγαίῳ to those under that of the ἐφέται, and ἐπὶ τυραννίδι to those under that of the court sitting in the Prytaneum to try offences against the Constitution. This law is incorporated in the decree of Patacleides (Andoc. *de Myst.* 78) after the time of the 400, where we find excluded from the privilege of ἀδεια all the names ὁπόσα ἐν στήλαις γέγραπται τῶν μὴ ἐνθάδε μενάντων ἢ ἐξ Ἀρείου πάγου ἢ τῶν ἐφετῶν ἢ ἐκ πρυτανείου δικασθεῖον ὑπὸ τῶν βασιλέων ἐπὶ φόνῳ τίς ἐστι φυγὴ ἢ σφαγαίῳ ἢ τυραννίδι. (So Droysen and Lipsius. The mss, followed by Blass, have: ἢ ἐκ πρυτανείου ἢ Δελφυνίου ἐδικάσθη ἢ ὑπὸ τῶν βασιλέων, ἢ ἐπὶ φόνῳ τίς ἐστι φυγὴ, ἢ θάνατος κατεγνώσθη, ἢ σφαγαίῳ ἢ τυραννίδι. But ἢ Δελφυνίου must have been added by some one who confused the court for trial of Constitutional offences held in the Prytaneum, with that for trial of inanimate things held in its precincts; and, since the archon basileus presided in the Areopagus and Prytaneum, as well as in the four courts, the βασιλεῖς cannot be contrasted with these courts as is implied by ἢ.) In Dem. *Aristocr.* 38 it is stated that, in the event of a banished manslayer being killed, the ἐφέται were to have cognisance of the matter, διαγινώσκου, —a term not necessarily implying that they acted as judges, but not inconsistent with it.

In Isocr. c. *Callim.* §§ 52, 54, a trial for homicide, held ἐπὶ Παλλαδίῳ, is stated to have come before a tribunal of 700 dicasts: (μάχη γενομένη) ἐκ τοῦ τραύματος φάσκοντες ἀποθανεῖν τὴν ἀνθρωπίνην λαγχάνουσι ἀπὸ τοῦ φόνου δίκην ἐπὶ Παλλαδίῳ. Similarly in [Dem.] c. *Nicostrat.* § 10 a trial ἐπὶ Παλλαδίῳ came before 500 dicasts. Hence it has been inferred that the ἐφέται had been deprived of their jurisdiction in that court (Gilbert, i 360 n). The first speech of Lysias is connected with a case of justifiable homicide, but there is nothing to shew whether it was delivered before δικασταί (Schömann, Scheibe, Froberger, Blass, Philippi), or before ἐφέται (Forchhammer and others) in the court of

πάγῳ γυγνομένων· εἰσάγει δ' ὁ βασιλεὺς καὶ δικάζουσιν * ἐν 25
ἡλι[αί]α[ι]* καὶ ὑπαῖθριοι. καὶ ὁ βασιλεὺς ὅταν δικάζη περιαι-

25 [N]....αι[ο]ι κ²: δικάζουσι σκοταῖοι olim conieci (H-L), coll. Luciani locis infra excerptis. Ceterum σκοταῖοι cum litterarum evanidarum vestigiis non congruere nunc confiteor, et hac certe in clausula Areopagitarum iudicium excludi videtur. τριταῖοι Lipsius; cf. Schol. Aeschin. i § 188, τρεῖς που τοῦ μηνὸς ἡμέρας τὰς φονικάς

§ 4, 26 Pollux viii 118 (Ἄρειος πάγος): ὑπαῖθριοι δ' ἐδίκαζον.

26—27 Pollux viii 90: καὶ τὸν στέφανον ἀποθέμενος σὺν αὐτοῖς δικάζει.

the Δελφίσιον. The text implies that the ἐφέται had not lost the privilege of trying such cases; possibly they retained it only in a formal sense as a kind of presiding committee, while the actual voting was in the hands of the dicasts. This is consistent with the statement of Pollux viii 125, κατὰ μικρὸν δὲ κατεγελάσθη τὸ τῶν ἐφετῶν δικαστήριον.

δικάζουσι κτλ.] To restore the missing word is a difficult task. According to Lucian, one of the courts of homicide, that of the Areopagus, held its sittings during the night:—*Hermotimus* 64, Ἄρεσταγίται ἐν νυκτὶ καὶ σκότῳ δικάζουσιν, and *de Domo*, 18, εἰ τι... ἐν νυκτὶ ὥσπερ ἡ ἐξ Ἄρελου πάγον βουλὴ ποιῶντο τὴν ἀκρίβειαν. This suggests the emendation σκοταῖοι, proposed by me in the *Academy*, Feb. 6, 1891, and accepted in the Dutch edition; but this proposal assumes either that the writer now reverts to the description of the procedure before the Areopagus, or that, if (as is more probable) he refers to all the courts of homicide, this particular detail in the trials before the Areopagus was also adopted in the three courts which have just been mentioned.

Again, if we refer to the account in Pollux viii 117, we find that the court of the Areopagus sat for three consecutive days before the last day in each month, τριῶν ἡμερῶν ἐδίκαζον ἐφεξῆς, τετάρτῃ φθινόωτος, τρίτῃ, δευτέρῃ (cf. Schol. Aeschin. i § 188). Then (after a sentence stating that the court of the Areopagus was composed of those who had been archons) he continues: ὑπαῖθριοι δ' ἐδίκαζον. This suggests τριταῖοι, which has independently occurred to Lipsius and Mr T. Nicklin: the sense would then be 'they give sentence on the third day'; but δικάζειν naturally means 'to try a cause' and not 'to pass a sentence,' ψηφίζεσθαι.

Both the above suggestions are open to the objection that they do not suit the faint traces still visible in the MS. These traces point to some word beginning with

αλ or ελ followed by something resembling ιη preceding the termination. Such a word is ἀλευοί (from ἀλέα). Hdt. ii 25, ἀλευήης τῆς χώρας ἐόσσης, opp. to ψυχρῆς Xen. Cyr. x 6; epithet of ἐσθης in Pol. ii 8, 1, ἐσθῆτος εὐτελοῦς μὲν ἀλευήης δὲ οὐκ ἐν τῷ χειμῶνι μόνον ἀλλὰ καὶ περὶ τοῦ θερμοῦ χρόνου. Cf. Hesych. ἀλεάζω (ἀλίζω Kuster)· ἀδροίζω, ἀλεάζω· δικάζομενος, and ἡλιαία either from ἀλεάζεσθαι (ἀδροίζεσθαι) or from θπαιθρον εἶναι τὸν τόπον καὶ ἡλιουδθαι. This assumes that an epithet usually meaning 'lying open to the sun, warm, hot,' can here be applied to a tribunal holding its meetings in the sunlight, as well as in the open air. If so, the three courts are contrasted in this respect with the court of the Areopagus. But such an application of the epithet is quite unprecedented.

As a better alternative one might suggest ἐν ἡλιαίᾳ, [ΕΝΗΛΙΑΙ]ΑΙ, which is found without the article in Arist. *Eq.* 897 ἐν ἡλιαίᾳ, Posidippus ap. Athen. 591 c εἰς ἡλιαίαν ἦλθε, and Diog. Laert. i 66. If this is right, the collocation of ὑπαῖθριοι supports the view of those who connect ἡλιαία with ἡλιος: Et. Mag. s. v. 1: εἰς τὸ θπαιθρον προσκαθημένον τῶν δικαστῶν· ἡ παρὰ τὸ ὑπαῖθριον· καὶ προὔποτιθεται ἡλιον εἶναι παρὰ τὸ ἡλιουδθαι τοὺς ἐκεῖ ἀδροιζομένους, and at end of art. 2: ἡλιαίεσθαι καὶ ἡλιαῖς ἐστὶ τὸ ἐν ἡλιαίᾳ δικάζειν (Welcker, *Gr. Götterlehre*, i 403, and Wilamowitz, *Aus Kydatheon*, p. 90). The term ἡλιαία is indeed suggestive of a large body of δικασταί, and it is so explained by the grammarians. Harp. s. v. mentions 1500 or 1000; and Pollux, 500 (at least). Cf. Paus. i 28, 8, τὸ δὲ μέγιστον καὶ ἐς 8 πλείστον συνέλασιν Ἠλιαίαν ἐκάλουν, where it is contrasted with the courts for the trial of homicide. But we know of trials ἐπὶ Παλλαδίῳ coming before 500 to 700 dicasts (p. 214 b); and such a tribunal may well be called 'a heliastic court.'

ὑπαῖθριοι] Antiphon, *de caede Herodis*, 11, πάντα τὰ δικαστήρια ἐν ὑπαῖθρῳ δικάζει τὰς δίκας τοῦ φόβου.

ρεῖται τὸν στέφανον. ὁ δὲ τὴν αἰτίαν ἔχων τὸν μὲν ἄλλον χρόνον εἴργεται τῶν ἱερῶν, καὶ οὐδ' εἰς τὴν ἀγορὰν δ[ίκαιον] ἐμβαλεῖν αὐτῷ· τότε δ' εἰς τὸ ἱερὸν εἰσελθὼν ἀπολογεῖται. ὅταν δὲ μὴ
 30 εἰδῇ τὸν ποιήσαντα, τῷ δράσαντι λαγχάνει. δικάζει δ' ὁ βασιλεὺς καὶ οἱ φυλοβασιλεῖς καὶ τὰς τῶν ἀψύχων καὶ τῶν ἄλλων ζῶων.

δικας ἐδικάζων. Sed expectares potius τῶν ἡμερῶν (Poll. viii 117) vel τῶν ἡμερῶν, aut τετάρτῃ μῦθι (Ant. *De Chor.* 42) vel denique ἐν μῦθι τετάρτῃ (ΕΝΜΗΝΙΔ'). Litteram secundam Z vel Ξ fuisse suspicantur K-W, sed in papyro litterae neutrius appareret vestigium. ΔΛΙΗ vel ΕΛΙΗ aegre discerni posse putat G F Warner; post δικάζουσι[ν] litterarum vestigia evanida hanc fere speciem habere testatur Kenyon:—ΕΛΙΗ...ΔΙ.Ι., prima praesertim littera obscure scripta. Legendum fortasse ἐν ἡλιαῖς sc. [ΕΝ ΗΛΙ]ΔΙ[Δ].Ι. 28 εἴργεται H-L. οὐδ' εἰς τὴν ἀγορὰν Wyse, Blass, van Leeuwen, Hartman, coll. Dem. 23 § 80 et 24 §§ 103, 165 (K-W, H-L): οὐδεὶς τὴν αἰτίαν κ'. 31 δ[ίκαιον] van Leeuwen (κ'), vel potius ἐξεστίν (Wyse): δ[ύναται] κ'; δ[έδοται] Gertz (K-W, H-L, B). ΕΜΒΑΛΕΙΝ (κ, H-L, B): ἐμβάλλειν K-W. 29 ΜΗ (κ, K-W, B): μηδεὶς H-L, sed spatii non satis est. 30 εἰδῇ Wyse (K-W, H-L, κ', B). Post λαγχάνει 'interdicti fere ὁ προσήκων ἐπὶ πρυτανείῳ' K-W. 31 ζῶων N. Desiderantur οὗτοι δικάζουσι καὶ τὰ καταγινώσκοντα ὑπερορίζουσι, coll. Poll. viii 120, K-W.

29—31 Pollux viii 120 infra exscriptus.

τὸν στέφανον] characteristic of the office of archon. Aeschin. i § 19, ὅς τις 'Ἀθηναίων ἐταιρήσῃ, μὴ ἐξέστω αὐτῷ τῶν ἐνέα ἀρχόντων γενέσθαι, οἳ ἐμὰ στεφανοφόρος ἢ ἀρχή, and Schol. ad loc., οἱ γὰρ ἐνέα ἀρχόντες στέφανον ἐφόρουν μωρήνῃ, with Hesych. s. v. μωρήνῃ, and Pollux viii 86, μωρήνῃ δ' ἐστεφάνωντο. Hence in Photius, s. v. ἡγεμονία δικαστηρίου ad fin., (of the archon βασιλεὺς), ἔχει δὲ μόνος καὶ στέφανον should be corrected into ἔχει δὲ μωρήνῃ στέφανον. Cf. Lys. 26 § 8 (of the archon), [Dem.] 58 § 27 (of the θεοσφθέτου). Hermann, *Staatsalt.* § 124, 12.

εἴργεται] § 2.

οὐδ' εἰς τὴν ἀγορὰν κτλ.] Aeschin. i § 164, ἔπειτα ἐμβάλλεις εἰς τὴν ἀγορὰν ἢ στεφανοὶ ἢ πράττεις τι τῶν αὐτῶν ἡμῶν; *F. L.* 148, οὐ καθαρὸς ὢν τὰς χεῖρας εἰς τὴν ἀγορὰν ἐμβάλλεις. Lycurg. *Leocr.* 5, εἰς τὴν ἀγορὰν ἐμβάλλοντα καὶ τῶν κοινῶν ἱερῶν μετέχοντα. Dem. 24 c. *Timocr.* 103, ἐὰν ἀλοῦς τῆς κακώσεως τῶν γονέων εἰς τὴν ἀγορὰν ἐμβάλλῃ, and 165, εἰς τὴν ἀγορὰν φοβού' ἐμβαλεῖν, also ὁ. 60 and *Anacr.* 77. ὅταν δὲ μὴ εἰδῇ κτλ.] [Dem.] 47 c. *Euerg.* 69, συμβουλευόμεν σοι... ὀνομαστὶ μὴ μηδὲν προαγορεύειν, τοῖς δεδρακόσι δὲ καὶ κτεῖναισιν. Plat. *Leg.* 874 A, ἐὰν δὲ τεθνεὺς μὲν αὐ τὴν φανή καὶ μὴ ἀμελῶς ζῆτοῦσιν ἀνεύρετος γίγνηται, τὰς μὲν προορήσεις τὰς αὐτὰς γίγνεσθαι καθάπερ τοῖς ἄλλοις, προαγορεύειν δὲ τὸν φόνον τῷ δράσαντι καὶ ἐπιδικάζαμενον ἐν ἀγορᾷ κηρύξαι 'τῷ κτεῖναισιν τὸν καὶ τὸν καὶ ὠφληκότι φόνον μὴ ἐπιβαίνειν ἱερῶν' (Wyse). Pollux,

viii 120, τὸ ἐπὶ Πρυτανείῳ δικάζει περὶ τῶν ἀποκτενάντων κἄν ὥς ἀφανεῖς.

ὁ βασιλεὺς καὶ οἱ φυλοβασιλεῖς] Pollux, viii 90, says (of the βασιλεὺς), δικάζει τὰς τῶν ἀψύχων δικας. In § 120 he says (of the φυλοβασιλεῖς), προεστῆκεσαν δὲ τούτου τοῦ δικαστηρίου φυλοβασιλεῖς, οἳ δὲ τὸ ἐμπεσὼν ἀψυχὸν ὑπερορίζουσι. These statements have hitherto been regarded as inconsistent with one another, and it has been supposed by Philippi, *Aesch.* p. 18, that the duty of the φυλοβασιλεῖς was simply to cast the condemned object beyond the bounds of Attica. The text shews both the statements are correct and that the βασιλεὺς and the φυλοβασιλεῖς jointly presided over this court.

The trial was held in the precincts of the Prytaneum. Dem. *Aristocr.* 76, ἐὰν λίθος ἢ ξύλον ἢ σιδήρεον ἢ τι τοιοῦτον ἐμπεσὼν πατάξῃ, καὶ τὸν μὲν βαλόντα ἀγροῇ τις, αὐτὸ δὲ εἰδῇ καὶ ἔχῃ τὸ τὸν φόνον εἰργασμένον, τοῦτος ἐπταύθα λαγχάνεται. ἐλ τοῖσιν τῶν ἀψύχων κτλ. Pollux, viii 120, τὸ ἐπὶ Πρυτανείῳ δικάζει... περὶ τῶν ἀψύχων τῶν ἐμπεσόντων καὶ ἀποκτενάντων. In the ceremony of the βουφῳνία, the priest who slew the ox fled after flinging away the axe, οἱ δὲ ἄγε τὸν ἄνδρα διέδρασε τὸ ἔργον οὐκ εἰδότες ἐς δίκην ὑπάγουσι τὸν πέλκυν (Paus. i 24, 4, cf. 28, 11 and vi 11, 6).

καὶ τῶν ἄλλων ζῶων] Plat. *Gorg.* 473 C, ὑπὸ τῶν πολιτῶν καὶ τῶν ἄλλων ζῴων (Kühner § 405 b n. 1).

The fact that animals could be tried has been hitherto unknown. But the

58. ὁ δὲ πολέμαρχος θύει μὲν θυσίας τήν τε τῇ Ἀρτέμιδι τῇ ἀγροτέρῃ καὶ τῇ Ἐνναλίῃ, διατίθῃσι δ' ἀγῶνα τὸν ἐπιτάφιον [καὶ] τοῖς τετελευτηκόσιν ἐν τῷ πολέμῳ, καὶ Ἀρμοδίῳ καὶ Ἀριστο- 2 γείτονι ἐναγίσματα ποιεῖ. δίκαι δὲ λαγχάνονται πρὸς αὐτὸν ἴδρια μὲν, αἱ τε τοῖς μετοίκους καὶ τοῖς ἰσοτελέσι καὶ τοῖς προξένοις 5 γιγνόμεναι· καὶ δεῖ τοῦτον λαβόντα καὶ διανείμαντα δέκα μέρη, τὸ

LVIII 1 ΘΥΓΙΜΕΝ? (K², K-W, B): ΠΟΙΕΙΤΑΙ? K¹ (H-L). τῇ τε τῇ: τῇ τε K-W. ΕΝΥΩ

2 ΕΝΥΑΛΙΩΙΕΝΥΑΛΙΩΙ? Ἐνναλίῃ K (K-W, B): Ἐνναλίῃ τὴν ἐνιαυσίαν H-L. 3 καὶ secl. K (H-L, B); retinent K-W, commatis signo post ἐπιτάφιον, non post πολέμῳ posito. τῷ: τῷ Rutherford 'vix recte.' 5 Μ(ΕΝ) K, H-L, B: μόνον K-W. 6 ΓΙΝΟΜΕΝΑΙ (adsc. OIC).

TESTIMONIA. LVIII § 1 Heraclidis epitom. (Rose, Frag. 611, 8): καὶ τὰ πολέμια. Pollux viii 91: "ὁ δὲ πολέμαρχος θύει μὲν" Ἀρτέμιδι "ἀγροτέρῃ καὶ τῇ Ἐνναλίῃ, διατίθῃσι" δὲ τὸν ἐπιτάφιον ἀγῶνα τῶν ἐν πολέμῳ ἀποθανόντων, καὶ τοῖς περὶ Ἀρμόδιον ἐναγίζει. (§ 2) δίκαι δὲ πρὸς αὐτὸν λαγχάνοντα μετοίκων, ἰσοτελῶν, προξένων. καὶ διανεμὴ τὸ λαχὼν ἐκάστη φυλῇ τι (τὸ? Bekk.: sine dubio leg. τῇ φυλῇ) μέρος, τὸ μὲν διαιτηταῖς παραδιδούς, (§ 3) εἰσάγων δὲ δίκας ἀποστασίῳ, ἀπροστασίῳ, κλήρων

case is provided for in Plato's *Laws*, 873 E, ἐὰν δ' ἄρα ὑποφύγῃον ἢ ζῶον ἄλλο τι φονεύσῃ τινα... ἐπετίτῃσαν μὲν οἱ προσήκοντες τοῦ φόνου τῷ κτείναντι, διαδικαζέσθων δὲ τῶν ἀγροδύμων (οἷον ἄν καὶ ὀπίσθους προστάξῃ ὁ προσήκων) τὸ δὲ ὅβλον ἔξω τῶν ὄρων τῆς χώρας ἀποκτείναντες διορίσαι. Then follows the case of things without life: ἐὰν δὲ ἀψυχὸν τι κτλ.

LVIII. *The Polemarch*.

§ 1. πολέμαρχος] Hermann, *Staatsalt.* § 138, 8—10; Gilbert, i 242.

θύει—Ἐνναλίῃ κτλ.] a survival of the duties performed in early times by the Polemarch in his military capacity. Ἀρτέμιδι] The sacrifice to Artemis was in memory of the battle of Marathon on the 6th day of Boedromion, Xen. *Anab.* iii 2, 12; Plut. *de malign. Her.* 26; Aelian, *V. H.* ii 25 (wrongly ascribed to the 6th of Thargelion); Schol. Aristoph. *Eq.* 660 (Hermann, *Gottesdienst. Alt.* § 56, 3 and 5; Mommsen, *Heortol.* p. 213).

ἀγῶνα τὸν ἐπιτάφιον] Plat. *Menex.* 249 B, ἀγῶνας γυμνικὸς καὶ ἱππικὸς—καὶ μουσικῆς πάσης, [Lys.] 2 § 80; Philostr. *Vit. Soph.* ii 30 ad fin. ἐν τῇ ἀκαδημίᾳ, οὗ τίθησι τὸν ἀγῶνα ἐπὶ τοῖς ἐκ τῶν πολέμων θαπτομένοις ὁ πολέμαρχος. Cf. Suidas, s. v. Θεμιστοκλέους παῖδες. See Mommsen, *Heortologie*, p. 281, and Daremberg and Saglio, s. v. *Epitaphia*, iii 727, where this commemorative festival is connected with the Θησεία and assigned to the 7th of Pyeneption (end of October), cf. CIA ii 471, 22, ἐπαύθησαντο δὲ καὶ τοῖς ἐπιτάφιοις

δρόμων ἐν ὅπλοις—καὶ ἀπεδείξαντο ἐν τοῖς ὅπλοις τοῖς τε Θησείοις καὶ ἐπιτάφιοις. In this part of his duties the Polemarch was assisted by the στρατηγοί; Gilbert, *Beiträge*, p. 61.

ἐναγίσματα] ὡς ἡρώϊ. Cf. Paus. ii 11, 7 (of Achilles); and ii 10, 1 (of Heracles). The offerings consisted of libations of wine, oil, milk and honey. Hermann, *Gottesdienst. Alt.* § 16, 14; Müller's *Handbuch*, v 3 p. 98.

§ 2. δίκαι...ἴδρια] Meier and Schömann, pp. 64—70, 619; Lys. 23 § 2, προσεκαλεσάμην αὐτὸν πρὸς τὸν πολέμαρχον νομίζων μέτοικον εἶναι.

προξένοις] the addition of ξένων, after προξένων, proposed by Meier in the corresponding passage of Pollux, is proved by the text to be unnecessary. ξένοι who were not resident in Attica, could only be concerned in δίκαι ἀπὸ συμβόλων or δίκαι ἐμπορικαί. By πρόξενoi we must here understand the privileged class of foreigners presented by Athens with rights such as those of ἐγκλητοί, ἀτέλεια and προεδρία.

The privilege of the Polemarch's protection is expressly granted to a πρόξενος in CIA ii 42, πρόσσodon αὐτῷ εἶναι πρὸς τὸν πολέμαρχον καθάπερ τοῖς ἄλλοις πρόξενoiς. In 131, we also have the grant of ἀτέλεια καὶ γῆς καὶ οἰκίας ἐγκλητοῖς. Meier and Schömann, p. 70 Lips.

λαβόντα τὰς δίκας. διανείμαντα—μέρη] 21 § 4.

λαχὸν ἐκάστη τῇ φυλῇ μέρος προσθεῖναι, τοὺς δὲ τὴν φυλὴν δικάζοντας το[ῖς] διαιτηταῖς ἀποδοῦναι. αὐτὸς δ' εἰσάγει δίκας τὰς τε 3
 10 [τοῦ] ἀ[ποστασίου] καὶ ἀπροστασίου καὶ κλήρων καὶ ἐπικλήρων
 τοῖς μετοίκους, καὶ τὰλλ' ὅσα τοῖς πολίταις ὁ ἄρχων, ταῦτα τοῖς μετοίκους ὁ πολέμαρχος.

59. οἱ δὲ θεσμοθέται πρῶτον μὲν τοῦ προγράψαι τὰ δικαστήριά εἰς κύριοι, τίσιν ἡμέραις δεῖ δικάζειν, [ἐπ]ε[ιτα] τοῦ δοῦναι

7 μέροι secl. K-W.

9 τοῦ secl. K-W; habet Harp.

μετοίκων (Frag. 387^a, 426^b). Bekk. An. 290, 28: "καὶ τῷ Ἐυναλίῳ διατίθησι" τὸν "ἀγῶνα τὸν ἐπιτάφιον".

§ 3 *Harp. πολέμαρχος: "...Ἄρ. δ' ἐν τῇ Ἀθ. πολ. διεξελθὼν ὅσα διοικεῖ ὁ πολέμαρχος, πρὸς ταῦτα, φησὶν, αὐτὸς τε "εἰσάγει δίκας τὰς τε τοῦ ἀποστασίου καὶ ἀπροστασίου καὶ κλήρων—ταῦτα τοῖς μετοίκους ὁ πολέμαρχος." *Harp. ἀποστασίον: "...Ἄρ. δ' ἐν Ἀθ. πολ. περὶ τοῦ πολέμαρχου γράφει ταυτί: "οὗτος δὲ εἰσάγει δίκας τὰς τε τοῦ ἀποστασίου καὶ κλήρων καὶ ἐπικλήρων." Bekk. An. 310, 9: ὁ πολέμαρχος (εἰσάγει δίκας) ἀποστασίον "καὶ κλήρων καὶ ἐπικλήρων τοῖς μετοίκους" καὶ τὰλλα ὅσα τοῖς" ἀστούς ὁ ἄρχων, οὗτος τοῖς μετοίκους παρέχεται (Frag. 388^a, 427^b). Phot. ἡγεμονία δικαστηρίου: "...τῷ πολέμαρχῳ δὲ δοῦναι ἀποστασίον γράφην ἔφερον" ἐτι μὴν καὶ ὅσα ὁ ἄρχων ἐν τοῖς ἀστούς, ὁ πολέμαρχος τοῖς μετοίκους δέητα.

TESTIMONIA. LIX Pollux viii 87: § 1 ἰδὲ δὲ οἱ μὲν θεσμοθέται προγράφουσι πότε δεῖ δικάζειν τὰ δικαστήρια, (§ 2) καὶ "τὰς εἰσαγγελίας εἰσαγγέλλουσιν εἰς τὸν δῆμον καὶ τὰς" χειροτοσίας "καὶ τὰς προβολὰς" εἰσάγουσι καὶ τὰς τῶν παρανόμων γραφάς, καὶ εἰ τις μὴ ἐπιτήδειον νόμον γράψειν, "καὶ στρατηγοῖς εὐθύνας" (cf. Schol. Aeschin. i § 1, p. 253 Schultz, ἡ δὲ εὐθύνα—ὁλὸν πρὸς βέλαν, στρατηγίας κτλ.).

*Harp. θεσμοθέται: "...ὁ δὲ Ἄρ. ἐν τῇ (ā addit codex Angelicanus) Ἀθ. πολ. διέρχεται ὅσα οὗτοι πράττουσιν. Phot. θεσμ.: "...τὰς εἰσαγγελίας εἰσαγγέλλων εἰς τὸν δῆμον καὶ τὰς χειροτοσίας καὶ τὰς προβολὰς ἀπάσας καὶ γραφὰς παρανόμων... Schol. in Plat. Phaedr. 235 D εἶχον δὲ ἔξουσίαν τοῦ ὑπογράψαι τὰ δικαστήρια, καὶ τὰς εἰσαγγελίας εἰσηγῶν καὶ τὰς χειροτοσίας καὶ προβολὰς καὶ γραφὰς παρανόμων καὶ ἄλλων τινῶν. Cf. Schol. in Aeschin. i § 16 in p. 219 a exscriptum.

τοὺς τὴν φυλὴν δικάζοντας] i.e. the four δικασταὶ assigned to each tribe, who introduce private actions concerning members of that tribe. As resident aliens are not members of any tribe, the lawsuits in which they are concerned are distributed by lot among the ten groups of four δικασταὶ each. This shews that μέτοικοι were in no way enrolled in any particular deme, as once suggested by Wilamowitz, *Hermes*, xxii 211. Cf. 53 § 1.

The quotation of this passage in Pollux is unintelligible, and none of the various corrections (enumerated in Hubert *de Arbitris Atheticis*, p. 29 f.) are satisfactory (Lipsius, *Leipzig Verhandl.*, p. 55).

§ 3. ἀποστασίον καὶ ἀπροστασίον] The former designation was applied to the case in which a μέτοικος deserted (or acted without the sanction of) the προστάτης under whom he had been enrolled; the latter, to that in which he had no προστάτης. Dem. 35 *Lacr.* 48, ἀλλ' ὁ

πολέμαρχος εἰσάξει. ἀποστασίον γε καὶ ἀπροστασίον.

On the δίκη ἀποστασίον, see Meier and Schöm. p. 619—623 Lips.; on the γραφή ἀπροστασίον, *ib.* p. 388—391.

κλήρων καὶ ἐπικλήρων τοῖς μετοίκους] [Dem.] 46 § 22, ἐπιδικασίαι εἶναι τῶν ἐπικλήρων ἀπασῶν καὶ ξένων καὶ ἀστών καὶ περὶ μὲν τῶν πολιτῶν τὸν ἄρχοντα εἰσάγειν καὶ ἐπιμελεῖσθαι, περὶ δὲ τῶν μετοίκων τὸν πολέμαρχον. Pollux, viii 91, has κλήρων μετοίκων, corrected by Meier into κλήρων ἐπικλήρων μετοίκους (or μετοικικῶν). The general purport of this correction is confirmed by the text.

LIX. *The Thesmothetae.*

§ 1. θεσμοθέται] Meier and Schöm. p. 72—81 Lips.; Gilbert, i 243; and Dict. Ant. s. v. *Archon*.

τίσιν ἡμέραις δεῖ δικά[σ]αι] e.g. Dem. c. *Mid.* 47 (of a γραφή ὕβρεως), οἱ δὲ θεσμοθέται εἰσαγόντων εἰς τὴν ἡλιαίαν τριάκοντα ἡμερῶν κτλ. (Meier and Schöm., p. 906 Lips.).

ταῖς ἀρχαῖς· καθ' ὃ τι γὰρ ἂν οὗτοι δώσιν, κατὰ τοῦτο χρῶνται.
 2 ἔτι δὲ τὰς εἰσαγγελίας εἰσαγγέλλουσιν εἰς τὸν δῆμον, καὶ τὰς κατα-
 χειροτονίας καὶ τὰς προβολὰς ἀπάσα[ς] εἰσάγουσιν οὐ[τοι], καὶ 5
 γραφὰς παρανόμων, καὶ νόμον μὴ ἐπιτήδειον θεῖναι, καὶ προεδρικὴν

LIX 4 εἰσαγγέλλουσιν εἰς τὸν δῆμον secl. K-W; retinent K, H-L, B; εἰσαγγέλλουσιν
 defendunt Pollux et Photius: εἰσάγουσιν Schol. ad Plat. *Phaedr.* 235 et ad Aesch. i 16
 (Gomperz). 6 <τοῦ> νόμον J B Mayor (H-L).

§ 2. εἰσαγγελίας] The statement of Pollux, viii 87, that it was the θεσμοθεταὶ who laid εἰσαγγελαί before the popular assembly was doubted by Boeckh (*Kleine Schriften*, v p. 163); but it is now clear that the ultimate authority for the statement was the present passage. Cf. Schol. Aeschin. i § 16, οἱ θεσμοθεταὶ ἄλλα μὲν ποιοῦσι κοινῇ, ἰδίᾳ δέ, πότε δὲ δικάζειν τὰ δικαστήρια καὶ τὰς εἰσαγγελίας εἰσάγειν εἰς τὸν δῆμον, καὶ τὰς χειροτονίας καὶ τὰς προβολὰς εἰσάγουσι καὶ τὰς τῶν παρανόμων γραφὰς καὶ ἑτέρα.

καταχειροτονίας] they bring forward all cases of 'removal from office by the votes of the people.' In Dem. c. *Mid.* 6, the noun is applied to the preliminary vote of condemnation called προβολή: καταχειροτονίαν ὁ δῆμος ἐποίησεν, and similarly with the verb in §§ 2, 199 and twice in § 175. In 51 § 8, in a speech before the βουλὴ, it is applied to a case of προδοσία: παρεδώκατε εἰς τὸ δικαστήριον, καταχειροτονήσαντες προδεδωκέναι τὰς ναῦς καὶ λελοικέναι τὴν τάξιν. In the text the reference is to sentences passed by the ἐκκλησία on the occasion of an εἰσαγγελία, and then referred to a court of law (Lipsius, *Leipsig Verhandl.* p. 48).

προβολὰς] c. 43 § 5. Preliminary decisions of the ἐκκλησία directing public prosecutions to be instituted, Dem. c. *Mid.* §§ 9, 11. Isocr. i 5 § 314, προβολὰς ἐν τῷ δήμῳ ἐποίησαν.

προβολαὶ were only resorted to in case of offences against religion (Dem. c. *Mid.*), complaints against magistrates (Harpocr. s. v. καταχειροτονία), and against συκοφάνται (43 § 5). Meier and Schöm. p. 335—344 Lips. The supposition that προβολαὶ could only be brought against magistrates at the ἐπιχειροτονία (Schöm. *de Comit.* p. 231 f.) is founded on passages of grammarians connecting προβολαὶ with καταχειροτονία, and this supposed connexion may have originated in a misunderstanding of the present passage. The statement that the ἡγεμονία δικαστηρίου belonged to the θεσμοθεταὶ is confirmed by Dem. c. *Mid.* 32, τῶν θεσμοθετῶν τούτων.

γραφὰς παρανόμων] c. 29 § 4. Hyperides, *pro Euxenippo*, c. 21, 27, παρόνομά τις ἐν τῇ πόλει γράφει; θεσμοθετῶν συνέδριον ἐστίν. Dem. *Lept.* 98, 99.

νόμον μὴ ἐπιτήδειον θεῖναι] It has sometimes been supposed that a γραφή παρανόμων could be directed against ψήφισματα, as well as against νόμοι, on the ground of *inexpediency*, as well as on that of *illegality*.

This opinion rests on passages such as (1) the spurious law quoted in Dem. c. *Timocr.* 33, ἐὰν δὲ τις λύσας τὰ τῶν νόμων τῶν κεμένων ἕτερον ἀντιθῇ μὴ ἐπιτήδειον τῷ δήμῳ τῷ Ἀθηναίων ἢ ἐναντίον τῶν κεμένων τῷ, τὰς γραφὰς εἶναι κατ' αὐτοῦ κατὰ τὸν νόμον δι κεῖται, ἐὰν τις μὴ ἐπιτήδειον θῇ νόμον. (Here inexpedient and contradictory laws are confusedly blended together.) (2) Pollux viii 56, ὡμωσσία δὲ ἐστίν, ὅταν τις ἢ ψήφισμα ἢ νόμον γραφέντα γράφῃται ὡς ἀνεπιτήδειον, and 44 (in a γραφή παρανόμων) διήλεγχεν δι ἐστὶ παράνομον ἢ ἀδικον ἢ ἀσύμφορον.

It was urged by Madvig (*Kleine Schriften*, p. 378 ff.) that, in the case of νόμοι, no less than in that of ψήφισματα, the argument from inexpediency was really irrelevant, the only legitimate ground of attack in both cases being that of illegality. This opinion has, however, been contested by Schöll (*Sitzungsber. d. k. b. Akad.*, München, 1886, p. 136). Relying partly on the passage in Pollux viii 87, which proves to be quoted from the text (see *Testimonia*), he contends that, under a γραφή παρανόμων, a ψήφισμα could only be impugned on the ground of illegality, whereas a νόμος might be formally attacked on the ground of inexpediency, as well as on that of illegality (Dem. c. *Timocr.* 61, 68, 108). Cf. Gilbert, i 284, n. 1; Meier and Schöm. p. 431 Lips.; Dict. Ant. ii 340 a.

Lipsius, who formerly supported Madvig, now holds that the text confirms Schöll's view (*Leipsig Verhandl.* p. 48). But it will be observed that in the text the reference to inexpedient laws is introduced by καὶ, which (unless it is merely epexegetic) makes the following clause an additional item in the enumeration.

καὶ ἐπιστατικὴν καὶ στρατηγοῖς εὐθύνας. εἰσὶ δὲ καὶ γραφαὶ 3
8 πρὸς αὐτοὺς ὧν παράστασις τίθεται, ξενίας καὶ δωροξενίας, ἃν τις
δῶρα δοὺς ἀποφύγῃ τὴν ξενίαν, καὶ συκοφαντίας καὶ δώρων καὶ

8 'ξενίας μὲν, ἔάν τις κατηγορήται ξένος εἶναι, δωροξενίας δὲ lex. Cant.—ἄν τις—ξενίαν
glossa?' K-W. 9 τὴν ξενίαν Meier, *Att. Pro.* p. 73, H-L.

§ 3 *Harp. παράστασις:...'Ἀρ. δ' ἐν 'Ἀθ. πολ. περὶ θεσμοθετῶν λέγων φησὶν οὕτως
"εἰσὶ δὲ γραφαὶ—τὴν ξενίαν," "καὶ ψευδεγγραφίης—μοιχείας." *Harp. δωροξενία:...'καὶ
'Ἀρ. δ' ἐν τῇ 'Ἀθ. πολ. περὶ τῶν θεσμοθετῶν λέγων γράφει ταυτὶ "εἰσὶ δὲ καὶ γραφαὶ—
ἀποφύγῃ τὴν" συκοφαντίαν ('ex sequentibus errore arreptum pro ξενίαν' Rose).
*Lex. rhet. Cantab. ξενίας γραφὴ καὶ δωροξενίας διαφέρει. 'Ἀρ. ἐν τῇ 'Ἀθ. πολ. φησὶ περὶ
τῶν θεσμοθετῶν διαλεγόμενος "εἰσὶ δὲ καὶ γραφαὶ πρὸς (περὶ cod.) αὐτοὺς ὧν παράστασις
(περιστάσεις cod.) τίθεται, ξενίας καὶ δωροξενίας." ξενίας μὲν ἔάν τις κατηγορήται ξένος
εἶναι, δωροξενίας δὲ "ἔάν τις δῶρα δοὺς ἀποφύγῃ τὴν ξενίαν." Pollux viii 44: δωροξενίας
δὲ εἰ τις ξενίας κρύβμενος δῶρα δοὺς ἀποφύγοι (Hesych. δωροξενία· τὸ ἐπὶ ξενίαν
καλούμενον ἀποφυγεῖν δῶρα δόντα). Harp. ἡγεμονία δικαστηρίου:...'πρὸς δὲ τοῖς θεσ-
μοθέταις αἱ τῆς ξενίας τε καὶ δωροξενίας (ἐλαγχάνοντο δικαί) καὶ συκοφαντίας καὶ δώρων
καὶ ψευδεγγραφίης καὶ ὕβρεως καὶ μοιχείας καὶ βουλευέσεως καὶ ἄλλων. Bekk. *An.* 310,
12: οἱ θεσμ. εἰσῆγον ξενίας καὶ συκοφαντίας καὶ δώρων καὶ ψευδεγγραφίης καὶ ὕβρεως
καὶ μοιχείας καὶ βουλευέσεως. Phot. ἡγεμ. δικαστ.:...'οἱ θεσμ. συκοφαντίας καὶ δώρων καὶ
ὕβρεως καὶ μοιχείας καὶ βουλευέσεως (cf. *Frag.* 379², 418²). Pollux viii 87: γίνονται δὲ
γραφαὶ πρὸς αὐτοὺς ξενίας, δωροξενίας, δώρων, συκοφαντίας, ψευδοκλητίας, ψευδεγγρα-
φίης, βουλευέσεως, ἀγραφίου, μοιχείας. Cf. etiam Bekk. *An.* 238, 24 δωροξενία; 240,
33 δωροξενίας δικη.

This fact is in favour of a separation of legal proceedings on the ground of inexpediency from the strict procedure of the γραφὴ παρανόμων. We may accordingly suppose that the γραφὴ παρανόμων was originally intended to be directed against ψηφίσματα, as well as νόμοι, on the sole ground of illegality; and that, subsequently, fresh powers were granted for the institution of formal proceedings against νόμοι alone, on the sole ground of inexpediency. This new kind of procedure is the subject of the additional clause καὶ νόμον μὴ ἐπιτήδειον εἶναι.

προεδρικὴν] the later form of the γραφὴ πρυτανικὴ which is mentioned together with the γρ. ἐπιστατικὴ by Harpocr. s. v. ῥητορικὴ γραφὴ.—ἡ κατὰ ῥήτορας γράψαν-
τός τι ἢ εἰπόντος ἢ πράξαντος παράνομον, ὥσπερ λέγεται καὶ πρυτανικὴ ἢ κατὰ πρυ-
τάνειν, καὶ ἐπιστατικὴ ἢ κατ' ἐπιστάτου. Cf. c. 44.

στρατηγὸς εὐθύνας] Lys. 9 § 11; 14 § 38; [Dem.] 49 § 25. Generals might even be called back to give account before the expiration of their office (Lys. 28 § 5). Meier and Schömh. p. 263 Lips.; Gilbert, *Beiträge*, pp. 26—28; Schöll, *de Synegoris*, p. 12, 14; Wilamowitz, *Aus Kydathen*, p. 62; Hauvette-Besnault, *les Stratèges Ath.* pp. 56—63.

§ 3. γραφαὶ] Meier and Schömh. p. 437 ff. Lips.

παράστασις] the fee (probably a

drachm) paid to the state by the prosecutor in certain public causes. The present passage (as quoted by Harpocr. s. v.) has been the authority for the causes in which it was paid; but the list is probably not exhaustive. The fee was paid in an εἰσαγγελία κακώσεως ἐπι-
κλήρων (Isae. 3 *Pyrrh.* 45). Meier and Schömh. pp. 799 f., 813—4 Lips.

ξενίας] a prosecution for usurping the rights of citizenship. Meier and Schömh. pp. 437—442 and 95—98, Lips.; Dict. Ant. s. v.

The *Lex. Rhet. Cant.* adds the needless explanation: ἔάν τις κατηγορήται ξένος εἶναι.

δωροξενίας] If a person tried on the charge of ξενία was 'acquitted by fraudulent collusion with the prosecutor or witnesses, or by any species of bribery, he was liable to be indicted afresh by a γρ. δωροξενίας' (Dict. Ant. s. v.; Meier and Schömh. p. 441 Lips.).

συκοφαντίας καὶ δώρων] omitted by Harpocr. and the *Lex. Rhet. Cant.* in their list of causes in which παράστασις was paid. Lipsius (*Att. Proc.* p. 73) was led to propose the addition of these causes by Bekker's *Anecd.* p. 310, 14, where συκοφαντίας, δώρων, ὕβρεως are inserted. On the γρ. συκοφαντίας, see Meier and Schömh. p. 413 Lips.; on the γρ. δώρων, p. 444.

ψευδεγγραφῆς καὶ ψευδοκλητείας καὶ βουλεύσεως καὶ ἀγραφίου 10
 4 καὶ μοιχείας. εἰσάγουσιν δὲ καὶ τὰς δοκιμασ[ία]ς ταῖς ἀρχαῖς
 ἀπάσαις, καὶ τοὺς ἀπεψηφισμένους ὑπὸ τῶν δημοτῶν, καὶ τὰς
 5 καταγνώσεις [τ]ὰς ἐκ τῆς βουλῆς. εἰσάγουσι δὲ καὶ δίκας ἰδίας,
 ἐμπορικὰς καὶ μεταλλικὰς καὶ δούλων, ἃν τις τὸν ἐλεύθερον κακῶς
 λέγῃ. καὶ ἐπικληροῦσι ταῖς ἀρχαῖς οὗτοι τὰ δικαστήρια τὰ ἴδια 15
 6 καὶ τὰ δημόσια. καὶ τὰ σύμβολα τὰ πρὸς τὰς πόλεις οὗτοι κυροῦσι,

11 καὶ ὄβρεως ante καὶ μοιχείας ins. Harp. s.v. ἡγεμονία δικαστηρίου (cf. Bekk. An., Phot.); non inserit Harp. s.v. παράστασις. εἰσάγουσι H-L. 14 ἐάν H-L.
 15—16 καὶ ἐπικληροῦσι—δημόσια secl. K-W; defendit Pollux viii 87. 15 ΟΥΓΟΙΤΑ
 (K-W, K², B): πάντα K¹; πάντα τὰ H-L. 16 κυροῦσι (K, K-W, B); idem habet
 Pollux: <κατα>κυροῦσι Wyse (H-L).

§§ 4—6 Pollux viii 87: (§ 4) εἰσάγουσι δὲ καὶ δοκιμασίαν ταῖς ἀρχαῖς, καὶ τοὺς
 ἀπεψηφισμένους, καὶ τὰς ἐκ τῆς βουλῆς καταγνώσεις. (§ 5) καὶ δίκας ἐμπορικὰς καὶ
 μεταλλικὰς, καὶ ἐάν δούλοι κακῶς ἀγορεύῃ τῶν ἐλευθέρων, καὶ ταῖς ἀρχαῖς ἐπικληροῦσι τὰ
 δικαστήρια τὰ ἴδια καὶ τὰ δημόσια. (§ 6) καὶ τὰ σύμβολα τὰ πρὸς πόλεις κυροῦσι, καὶ
 δίκας τὰς ἀπὸ συμβόλων εἰσάγουσι καὶ τὰς τῶν ψευδομαρτυριῶν τῶν ἐξ Ἀρείου πάγου.

ψευδεγγραφῆς] a prosecution against a
 public officer for making a false entry in
 the list of debtors to the state. Meier
 and Schöm. p. 415 Lips.; Dict. Ant. s. v.
 ψευδοκλητείας] a prosecution for falsely
 appearing as witness to a summons.
 Meier and Schöm. p. 414 Lips., and
 Dict. Ant. s. v.

βουλεύσεως] a prosecution instituted
 by one who was wrongfully inscribed as
 a state debtor against one who had so
 inscribed him. The distinction between
 this kind of γρ. βουλεύσεως and the cog-
 nate γρ. ψευδεγγραφῆς is stated as follows
 by Boeckh, p. 390 Lewis: 'whoever falsely
 declared that another had been regis-
 tered was liable to the action for false
 registration (ψευδεγγραφῆς). If, on the
 other hand, a man who had been a state
 debtor had paid all that was due, but his
 name was not erased, or, having been
 erased, was re-entered, the action for con-
 spiracy applied (βουλεύσεως).' Meier and
 Schöm. p. 415 Lips.; Dict. Ant. i p.
 314 a.

ἀγραφίου] a prosecution for non-reg-
 istration of a name in the list of state
 debtors, instituted in the event of the
 name being improperly erased before the
 debt was paid. This action might be
 brought either against the person whose
 name was improperly erased, or against the
 officer who omitted to register the debt.
 If the name of a debtor had not been
 registered at all, he could only be pro-
 ceeded against by ἐνδείξει, and was not
 liable to the ἀγραφίου γραφή (Dem. c.

Theocrin. 67), Meier and Schöm. p. 447—
 9 Lips.; and Dict. Ant. s. v.

μοιχείας] Meier and Schöm. p. 402—9
 Lips.; Dict. Ant. i 29 b.

§ 4. δοκιμασίας] 55 §§ 2—4. Gilbert,
 i 210.

ἀπεψηφισμένους κτλ.] Those whose
 claims to citizenship were rejected at
 the διαψήφισις, held by the members of
 the deme, might appeal to a law-court.
 13 § 5; 42 § 1; Meier and Schöm. p.
 989 f. Lips.

καταγνώσεις] 45 § 1, τὰς καταγνώσεις
 εἰσάγειν τοὺς θεσμοθέτας εἰς τὸ δικαστήριον.

§ 5. ἐμπορικὰς] commercial law-suits
 heard during the winter, when the sea
 was closed to mercantile enterprise.
 These, as well as the μεταλλικαὶ δίκαι,
 belonged to the class of ἐμμενοὶ δίκαι,
 which were decided within a month.
 Meier and Sch., p. 635 Lips.; Dict.
 Ant. i p. 730 a.

μεταλλικὰς] mining suits, Dem. Pant.
 35. Boeckh, On the Silver Mines of
 Laurium, § 12; Meier and Sch., p. 634
 Lips.

δούλων] It was only in the event of a
 δίκη κακηγορίας being brought by a free-
 man against a slave that the θεσμοθέται
 presided over the court. In other cases,
 it came before the Forty. Meier and
 Sch., pp. 80, 628 Lips.

ἐπικληροῦσι—δικαστήρια] CIA ii 567 b
 (in a decree in honour of a θεσμοθέτης)
 ἐπιμελεῖται δὲ καὶ τῆς κληρώσεως τῶν δι-
 καστηρίων. Meier and Sch., p. 160 Lips.

§ 6. τὰ σύμβολα τὰ πρὸς τὰς πόλεις]

καὶ τὰς δίκας τὰς ἀπὸ τῶν συμβόλων εἰσάγουσι, καὶ τὰ ψευδομαρ-
τύρια <τὰ> ἐ[ξ] Ἀρείου πάγου. τοὺς δὲ δικαστὰς κληροῦσι 7
πάντες οἱ ἐννέα ἄρχοντες, δέκατος δ' ὁ γραμματεὺς ὁ τῶν θεσμοθε-
10 τῶν, τοὺς τῆς αὐτοῦ φυλῆς ἕκαστος.

60. τὰ μὲν οὖν περὶ τοὺς ἐννέα ἄρχοντας τοῦτον ἔχει τὸν
τρόπον. κληροῦσι δὲ καὶ ἀθλοθέτας δέκα [ἄ]νδρας, ἓνα τῆς
φυλῆς ἐκάστης. οὗτοι δὲ δοκιμασθέντες ἄρχουσι τέτταρ[α ἔ]τη,

17 τὰ ψ. TAC mutatum in TAY.

18 <τὰ> Bernardakis, K-W, H-L, B coll. Poll. τὰς τῶν ψ. τῶν K-W.

18—20 τοὺς δὲ—ἕκαστος secl. K-W, cf. 63 § 1; defendit Schol. Arist. *Vesr.* 775.

19 ΠΑΝΤΑΣ K-W: πάντες corr. K, H-L, B.

17 *Bekk. *An.* 436 ἀπὸ συμβόλων δικάζει infra exscriptum (Frag. 380², 419²); cf. Harp. infra laudatum.

18—20 Schol. Ar. *Vesr.* 775: θεσμοθεταὶ καὶ δέκατος ὁ γραμματεὺς κληροῦσι τοὺς δικαστὰς τοὺς τῆς αὐτῆς φυλῆς ἕκαστος.

TESTIMONIA. LX § 1 Pollux viii 93: ἀθλοθέται δέκα μὲν εἰσιν, εἰς κατὰ φυλὴν, δοκιμασθέντες δὲ ἀρχουσιν ἑτη τέτταρα ἐπὶ τῷ διαθεῖναι τὰ Παναθήναια, τὸν τε μουσικὸν <add. ἀγῶνα> “καὶ τὸν γυμνικόν” “καὶ τὴν ἱπποδρομίαν.” *ib.* 87 (οἱ ἐννέα ἄρχοντες...ἐχουσιν ἐξουσίαν) κληροῦν δικαστὰς καὶ ἀθλοθέτας, ἓνα κατὰ φυλὴν ἐκάστην.

‘international contracts.’ Such agreements were finally ratified by a heliastic court. In [Dem.] 7 § 9, Philip claims that they shall be ratified οὐκ ἐπειδὴν ἐν τῷ δικαστηρίῳ τῷ παρ’ ἡμῶν κυρωθῇ ὥστερὸ νόμος κελεύει. Cf. [Andoc.] in *Alcib.* 18. They secured to the citizens of the contracting states the reciprocal right of suing and being sued; *Pol.* 1275 a 8, (among those who are not citizens are) οἱ τῶν δικαίων μετέχοντες οὕτως ὥστε καὶ δικὴν ὑπέχουν καὶ δικάζεσθαι τοῦτο γὰρ ὑπάρχει καὶ τοῖς ἀπὸ συμβόλων κοινωνοῦσι. The decision was given in the court of the defendant’s city, and in accordance with laws agreed upon in the σύμβολα.

τὰς δίκας τὰς ἀπὸ τῶν συμβόλων] These were mainly commercial suits; but while, in the ordinary δίκαι ἐμπορικαί, the suit was tried in the state where the contract was made, and in accordance with the laws of that state; in the δίκαι ἀπὸ συμβόλων, it was tried in the defendant’s state and in accordance with the laws agreed upon in the σύμβολα. Thus, on the reduction of Chalcis in B.C. 446/5, the inhabitants retained their own jurisdiction except in the case of offences punishable by disfranchisement, exile, or death. These were to be sent to Athens for trial: περὶ δὲ τούτων ἐφεσιν εἶναι Ἀθήναζε εἰς τὴν ἡλιαίαν τῶν θεσμοθετῶν.

In Bekker’s *Anecd.* i 436 we read: Ἀθηναῖοι ἀπὸ συμβόλων ἐδικάζον τοῖς ὑπηκόοις οὕτως Ἀριστοτέλης, and similarly (so far as regards the first statement)

Hesych. s. v. ἀπὸ συμβόλων δικάζειν; but it will be observed that the text says nothing of ὑπήκοοι. Cf. Pollux viii 63, ἀπὸ συμβόλων δέ, ὅτε οἱ σύμμαχοι ἐδικάζοντο. Harpocr. σύμβολα: τὰς συνθήκας ἀς ἂν αἱ πόλεις ἀλλήλαις θέμεναι τάττωσι τοῖς πολίταις ὥστε διδόναι καὶ λαμβάνειν τὰ δίκαια, and similarly Phot. and Etym. M. On this subject cf. Meier and Schöm. pp. 994—1006 Lips.; Goodwin in *American Journal of Philology*, i 1880, p. 1—16; Dict. Ant. ii 734—6.

τὰ ψευδομαρτύρια] this form has hitherto been found only in Plat. *Theat.* 148 B, ἐνοχος τοῖς ψευδομαρτυρίοις. In the case of δίκαι ψευδομαρτυρίοις in general, the management of the suit was in the hands of the same authorities as the trial at which the alleged false witness was tendered: it was only in the event of false witness before the Areopagus, that the case came under the cognisance of the θεσμοθέται. Meier and Schöm. p. 485 f. § 7. τοὺς δὲ δικαστὰς κληροῦσι] 63 § 1. Meier and Sch., p. 160 Lips.

ὁ γραμματεὺς] 55 § 1; 63 § 1.

LX. *The Athlothetæ.*

§ 1. ἀθλοθέταις] The lists of payments from the treasures of Athena for public purposes include the following items: CIA i 183 (Hicks, no. 53), 7 (in the British Museum), ἀθλοθέταις ἐς Παναθήναια, in B.C. 415, 9 talents; *ib.* 188 (Ditt. no. 44), 5 (in the Louvre), ἀθλοθέταις ἐς Παναθήναια τὰ μεγάλα, in B.C. 410, 5 talents, 1000 drachmae.

καὶ δωικοῦσι τὴν τε πομπὴν τῶν Παναθηναίων καὶ τὸν ἀγῶνα τῆς μουσικῆς καὶ τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν, καὶ τὸν 5 πέπλον ποιοῦνται, καὶ τοὺς ἀμφορεῖς ποιοῦνται μετὰ τῆς βουλῆς, 2 καὶ τὸ ἔλαιον τοῖς ἀθληταῖς ἀποδιδόασιν. συλλέγεται δὲ τὸ ἔλαιον

IX 6 ΔΜΦΟΡΕΙΣ ΠΟΙΟΥΝΤΑΙ (K): ἀμφορεῖς Gennadios, (K-W, H-L); ποιοῦνται retinet B, commatis signo post prius ποιοῦνται addito, et coll. c. 49 § 3. 7 ἔΛΕΓΕΤΑΙ ΤΟΔ' ΕΛΑΙΟΝ: συλλέγεται δὲ τὸ ἔλαιον Gennadios, Richards, Gertz, H-L, K-W¹, K², B; τὸ δ' ἔλαιον συλλέγεται R D Hicks (K-W²).

§ 2 *Schol. Soph. O. C. 701: ὁ δὲ Ἄρ. καὶ τοῖς νικῆσασιν τὰ Παναθηναία ἐλαίου τοῦ ἐκ τῶν μοριῶν γυνομένου δίδουσθαι φησιν. Cf. Phot. s.v. μορία (Frag. 345², 383²). Schol. Arist. *Nub.* 1005.

πομπὴν τῶν Παναθηναίων] Thuc. vi 56—58. Michaelis, *Parthenon*, p. 327.

τὸν ἀγῶνα τῆς μουσικῆς] Plut. *Per.* 13, φιλοτιμούμενος δ' ὁ Περικλῆς τότε πρῶτον ἐψηφίσατο μουσικῆς ἀγῶνα τοῖς Παναθηναίοις ἀγεσθαι καὶ διέταξεν αὐτὸς ἀθλοθέτης αἰρεθεῖν, καθὼς χορὰ τοὺς ἀγωνιζομένους αὐλεῖν ἢ ἄδειν καὶ κιθαρίζειν. Phrynios of Mytilene won the prize with the κιθάρα in B.C. 456. The prizes for κιθαροδοί were a crown, together with 500, 300, 200, or 100 dr. (schol., Arist. *Av.* 11); and for the ἄνδρες αὐλοδοί, a crown and 100 dr. This competition is mentioned in Plut. ii 1134 A, *de Musica*, 8, ἐν ἀρχῇ γὰρ ἐλεγεία μεμελοποιημένα οἱ αὐλοδοὶ ᾄδον· τοῦτο δὲ ἄλλοι ἢ τῶν Παναθηναίων γραφὴ ἢ περὶ τοῦ μουσικοῦ ἀγῶνος. The prize for the ἄνδρες κιθαριστὰι was a crown, or 200 or 100 dr.; there was also a prize for the αὐληταί, probably a crown (Michaelis, *Parthenon*, p. 322). A crown won at a μουσικὸς ἀγῶν is represented in an inscr. published in *Ἐφημ.* Ἄρχ. 1862, 219 (copied *ib.* p. 318).

γυμνικὸν ἀγῶνα] mentioned in documents quoted in Dem. 18 § 116 and Hipocrates iii 830 Kühn, also in CIA ii 331, 177 (c. B.C. 270), Παναθηναίων τῶν μεγάλων τῷ γυμνικῷ ἀγῶνι. The contests included running, wrestling, boxing, and the πένταθλον and παγκράτιον (Michaelis, *l. c.* p. 323).

ἵπποδρομίαν] The horse-races were held at Echelidae (τόπος Ἀθήνῃσι σταδίων ὀκτώ, ἐν ᾧ αἱ ἵπποδρομαί, Etym. M.). The race is mentioned in Xen. *Symp.* i 2. Cf. Athen. p. 168, νικῆσαντος ἱπποῦ Παναθηναία (cf. Michaelis, pp. 324—5).

πέπλον] 49 § 3. Schol. Arist. *Av.* 826, τῇ Ἀθηνᾷ πολιάδι ὅσῃ πέπλος ἐγένετο παμποικίλος, ὃν ἀνέφερον ἐν τῇ πομπῇ τῶν Παναθηναίων. Among the mythological subjects represented on it was the battle of Athens with the Giants. Michaelis, *l. c.* p. 328.

ἀμφορεῖς] In the athletic contests the prize was a garland from the sacred olive-trees, together with a vase filled with oil from the same. Pindar's ornate description of the prizes is well known: *Nem.* x 62—66, ἀδείαλ γε μὲν ἀμβολάδαν ἐν τελεταῖς δις Ἀθαναίων μιν ὀμφαλὴ κώμασαν· γαίε δὲ καυθεῖσθαι πυρὶ καρπὸς ἑλαιᾶς ἔμολεν Ἑρᾶς τὸν εὐάνορον λαὸν ἐν ἀγγέων ἐρκεσιν παμποικίλους (with Schol.). Cf. Simonides in Anth. Pal. xiii 19, 3, καὶ Παναθηναίους στεφάνους λάβε πέντ' ἐπ' ἀέθλους ἐξῆς (i.e. in the Pentathlon) ἀμφορεῖς <τ'> ἐλαίου.

Many of the Panathenaic vases have been found in Italy, Sicily, Greece, and at Cyrene. They have the figure of Athens on one side, and a representation of the contest for which they were awarded on the other. The earliest Panathenaic vase, now extant, known as the "Burgon Vase" in the British Museum (Vase Room II B 1), is ascribed to the 6th century B.C., and there are 14 others in the same room; in Room IV there are 10 of the 4th century, to which the majority of such vases belong, varying in date from 368 to 313 B.C. One of those in the Museum, bearing the inscr. τῶν Ἀθήνηθεν ἀθλῶν, belongs to B.C. 328, about the date when the text was written. Many of these vases are reproduced in colours in *Monumenti dell' Inst. Arch.* x; and single vases in Birch's *Ancient Pottery*, p. 430, Duruy, *Histoire des Grecs*, i 762, and Murray's *Handbook of Gk. Archaeology*, p. 104.—A Panathenaic amphora, with a spray of olive rising out of it and with three crowns beside it, may be seen on a table in front of a gnarled olive-tree, represented in relief on the outer side of several marble stalls found at Athens (see cut in Michaelis, *Parthenon*, p. 29).

§ 2. ἔλαιον—μοριῶν κτλ.] Arist. *Nub.* 1005, ἄλλ' ἐλς Ἀκαδημειαν κατὼν ὑπὸ ταῖς μορίαῖς ἀποθρέξει, and Schol. *περὶ αὐτὸν δ'*

[ἀ]πὸ τῶν μοριῶν· εἰσπράττει δὲ τοὺς τὰ χωρία κεκτημένους ἐν
οἷς αἱ μορίαι εἰσὶν ὁ ἄρχων, τριῖ ἡμικοτύλια ἀπὸ τοῦ στελέχους
10 ἐκάστου. πρότερον δ' ἐπώλει τὸν καρπὸν ἢ πόλιν· καὶ εἴ τις ἐξο-
ρύξειεν ἐλαίαν μορίαν ἢ κατάξειεν, ἔκρινεν ἢ ἐξ Ἀρείου πάγου
βουλή, καὶ εἴ του καταγνοή, θανάτῳ τοῦτον ἐξημίουν. ἐξ οὗ δὲ τὸ
ἐλαίον ὁ τὸ χωρίον κεκτημένος ἀποτίνει, ὁ μὲν νόμος ἐστίν, ἡ δὲ [Col. 30.]
κρίσις καταλέλγεται. τὸ δ' ἄλ[αιον] ἐκ τοῦ κτήματος, οὐκ ἀπὸ τῶν
15 στελεχῶν, ἐστὶ τῇ πόλει. συλλέξας οὖν ὁ ἄρχων τὸ ἐφ' ἑαυ[τοῦ] 3
γιγνόμενον, τοῖς ταμίαις παρ[αδίδ]ωσιν εἰς ἀκρόπολιν, καὶ οὐκ
ἔστιν ἀναβῆναι πρότερον εἰς [Ἀρε]ιον πάγον πρὶν ἂν ἅπαν παραδῶ
τοῖς ταμίαις. οἱ δὲ ταμίαι τὸν μὲν ἄλλον χρόνον τηροῦσιν ἐν ἀκρο-

9 ΤΡΙ ΗΜΙΚΟΤΥΛΙΑ (B); τρία ἡμ- K, H-L; τριημικοτύλιον K-W. 11 ἐλαίαν
del. Rutherford, ἐλαῶν (deleto μορίαν) H-L. ἐλαίαν (K, K-W); ἐλαῶν B; ἐλαία habet
Soph. O. C. 701; ἐλαῶ Aristophanes, cf. Eustathium p. 84, 9 τῶν ἐλαίων ἐλαῶν ἀττι-
κῶς; formam utramque defendunt tituli (Meisterhans, p. 24³). 12 ΤΟΥ (H-L, K²,
B), omiserat K¹; [μὲν?] K-W. 14 <τὸ> ἐκ τοῦ H-L. ΑΠΟ (correctum in
εκ) ΤΟΥ ΚΤΗΜΑΤΟΣ (K-W, B); ΚΛΗΜΑΤΟΣ legerat K (H-L). 16 ΓΙΓΝ (edd.).

ἦσαν αἱ ὅστις ἱερὰ ἐλαία τῇ θεῷ, αἱ κα-
λοῦνται μορίαι· ἐξ ὧν τὸ ἐλαίον τῶν Πανα-
θηναίων. Lucian, *Anach.* 9; Schol. Plat.
Parm. 127 A; Suidas s. v. μορίαι (Mi-
chaelis, *Parthenon*, p. 322).

εἰσπράττει—κεκτημένους κτλ.] Schol.
Arist. *Nub.* 1005, ὑπὸ ταῖς μορίαις: διὰ τὸ
πάντα ἀνθρώπων κεκτημένον ἐλαίας ἀναγ-
κάζεσθαι μέρος τι παρέχειν εἰς τὰ Παναθήναια
κτλ.

τριῖ ἡμικοτύλια] $\frac{3}{4}$ pint; the κοτύλη
being about $\frac{1}{2}$ pint.

πρότερον δ' ἐπώλει τὸν καρπὸν ἢ πόλιν]
Lysias 7 de *Olea Sacra* § 2, τοὺς ἐωνη-
μένους τοὺς καρποὺς τῶν μοριῶν. The
speech is not earlier than B.C. 395 (Blass,
Att. Ber. i² p. 591): thus πρότερον here
refers to a time not earlier than the arch-
onship of Euclides.

εἴ τις ἐξορύξαιεν—βουλῇ] Lys. *Or.* 7 is
addressed to the Areopagus, who (besides
attending to the sacred olives every month)
sent overseers (γνώμονας) to examine them
every year (§ 25). In § 7 the speaker states
the charge on which he is being tried:
τῇ δὲ <μὲν> μορίαν, ἣν οὐχ ὁλόν τ' ἦν
λαθεῖν ἐξορύξαντα, ὡς ἀφανίζω νυνὶ κρί-
νομαι.

θανάτῳ] The terms used in Lys. 7 § 3,
περὶ πατρίδος καὶ περὶ τῆς οὐσίας ἀγωνί-
σασθαι, and § 41, πατρίδος—στερηθεῖς,
imply that the penalty at that time was
(as in other cases of ἀσέβεια) banish-
ment with confiscation of property. This
shews that, even before the time when
the state, instead of selling the olives,

exactd from the tenant the delivery of a
certain quantity of oil, the capital penalty
had already become obsolete.

κτλήματος] The delivery of the oil has
now become a regular tax on the *prop-
erty*, i. e. either on the χωρίον or on the
store of oil manufactured by the pro-
prietor. The alternative reading κλήματος
draws a distinction between the 'fresh
shoots' (Xen. *Oec.* 19, 8, τὸν βλαστὸν τοῦ
κλήματος), and the trunk of the tree, im-
plying that the state insists that the oil
supplied to it shall be from the former.
But this proviso, even if intelligible in
theory, would be difficult to insist upon in
practice. Besides στελεχος is the ordinary
term applied to the tree as a whole.

στελεχῶν] Dem. 43 *Macart.* 69, ταῦτας
(τὰς ἐλάδας) ἐξώρυττον καὶ ἐξεπρέμειζον,
πλεὺν ἢ χίλια στελέχη, θένον ἐλαίον πολὺ
ἐγγίγνετο. Hdt. viii 55, βλαστὸν ἐκ τοῦ
στελέχεος.

§ 3. ἐφ' ἑαυτοῦ] 'in his own year of
office.'

ταμίαις] 4 § 2; 7 § 3; 8 § 1; and esp.
30 § 2 and 47 § 1.

οὐκ ἔστιν ἀναβῆναι κτλ.] the archon
could not take his place among the mem-
bers of the Areopagus at the close of his
year of office until he had handed over
to the treasurers (of Athens) the full
amount of olive-oil due for the year. For
ἀναβῆναι cf. [Dem.] c. *Neacr.* 80, ἐγγίγνετο
τὰ ἱερὰ ταῦτα καὶ ἀνέβησαν εἰς Ἀρεῖον
πάγον οἱ ἐντέτα ἀρχοντες ταῖς καθηκούσαις
ἡμέραις.

πόλει, τοῖς δὲ Παναθηναίοις ἀπομετροῦσι τοῖς ἀθλοθέταις, οἱ δ' ἀθλοθέται τοῖς νικῶσι τῶν ἀγωνιστῶν. ἔστι γὰρ ἀθλα τοῖς μὲν 10 τὴν μουσικὴν νικῶσιν ἀργύρια καὶ χρυσία, τοῖς δὲ τὴν εὐανδρίαν ἀσπίδες, τοῖς δὲ τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν ἔλαιον. — — —

61. χειροτονοῦσι δὲ καὶ τὰς πρὸς τὸν πόλεμον ἀρχὰς ἀπάσας, στρατηγούς δέκα, πρότερον μὲν ἀφ' ἐκάστης τῆς > φυλῆς ἓνα,

21 ΑΡΓΥΡΙΑΚ'ΧΡΥΣΑ (Κ'): ἀργύρια καὶ χρυσία (H-L, K², B); ἀργύριον καὶ χρυσᾶ (K-W), ἀργυρὰ καὶ χρυσᾶ (Rutherford). 23 'interciderunt magistratus creati in quadriennium, cf. cap. 18' K-W; idem coniecerat Weil; c. 43 § 1 et c. 61 § 1 (χειροτ. δὲ καὶ) confert B, qui addit tamen nihil amplius Polluci notum fuisse.

LXI 2 Δ(ε)κ(αι) κ': δέκα, Richards, Gertz, K-W, H-L, B, K². ἐκάστη add. κ (K-W, H-L); ἐκάστη τῆς B.

TESTIMONIA. LXI Pollux viii 87 (οἱ ἐννέα ἀρχόντες...ἐχουσι-ἐξουσίαν), (§ 1) στρατηγούς χειροτονεῖν ἐξ ἀπάντων, (§ 2) καὶ καθ' ἐκάστην πρυτανεῖαν ἐπερωτᾶν εἰ δοκεῖ καλῶς ἀρχειν ἕκαστος (τὸν δ' ἀποχειροτονηθέντα κρίνουσιν), (§ 4) καὶ ἱπάρχους δύο, (§ 5) καὶ φυλάρχους δέκα, (§ 8) καὶ ταξιάρχους δέκα.

2 *Harp. στρατηγοὶ :...οἱ καθ' ἕκαστον ἐνιαυτὸν χειροτονούμενοι στρατηγοὶ δέκα ἦσαν, ὡς μαθεῖν ἔστιν ἐκ τε τῶν Ἱερίδου κατ' Αὔτοκλέους καὶ ἐκ τῆς Ἀθ. πολ. Ἀριστοτέλους (Frag. 390², 430²).

τὴν μουσικὴν νικῶσιν ἀργύρια καὶ χρυσία] The prizes recorded in inscriptions are crowns and sums of money varying from 100 to 500 *dr.* (Dittenberger, no. 395: Michaelis, *Parthenon*, p. 322). ἀργύρια, in pl. of 'sums of money,' Arist. *Av.* 600.

εὐανδρίαν] This contest is mentioned in Andoc. 4 § 42, νεκρικῶς εὐανδρία, Xen. *Mem.* iii 3, 12, Athen. 565 F; also in Harpocr. s. v. and Bekker's *Anec.* p. 257, 13. Cf. Thumser, *de Civium Ath. Muneribus*, pp. 81, 97—9. ἀσπίδες] In the early part of the fourth century the prize was an ox; CIA ii 965 (Ditt. 395, 75), εὐανδρίαὶ φυλῆς νικῶσαι βοῦς. We do not know the date when the ox was superseded by the portable prize mentioned in the text. The 'shields' are not named elsewhere.

γυμνικὸν ἀγῶνα καὶ τὴν ἵπποδρομίαν] In the above inscr. ll. 23—70 we have the record of the number of ἀμφορῆς ἔλαιον awarded (1) to the boys, and (2) to the youths, who were victorious in running, wrestling, boxing, or in the pentathlon or pancratiun; and (3) to the victors in the horse-races. The part enumerating the prizes given to the men is lost.

LXI. Officials elected by open voting (*Military Officers*).

§ 1. χειροτονοῦσι—τὰς πρὸς τὸν πόλεμον ἀρχάς] 43 § 1 *ad fin.*

ἀφ' ἐκάστης—φυλῆς ἓνα] This was the case on the occasion when Cimon and his

colleagues were called upon to act as judges in the dramatic contest of B.C. 468, when Sophocles gained the prize against Aeschylus: Plut. *Cimon* 8, describes the generals as δέκα ὄντας, ἀπὸ φυλῆς μιᾶς ἕκαστον. At some later date, which is not specified, the generals were chosen out of all the citizens (ἐξ ἀπάντων) without distinction of tribe.

It was held by Schömann (*Ant.* p. 420), Boeckh (on *Antig.* 190, and *CIG* pp. 294, 906), Sauppe and others, that the generals were elected by the several tribes alone. A. Schaefer (*Dem.* ii 182) held that they were elected ἐξ ἀπάντων (as attested by Pollux). The view that in earlier times the generals were elected κατὰ φυλὴν, and afterwards ἐξ ἀπάντων, was held by Bergk, Lugebil, Müller-Strübing and others (see Gilbert, i 220, and *Beiträge*, pp. 16—20). This is proved by the text to be right.

Gilbert (*Beiträge*, pp. 21—23) accepts the narrative in Plutarch's *Cimon*, but does not admit that on that occasion the 10 generals belonged to the 10 different tribes, although this is the obvious meaning, as in the phrase in Pollux viii 94, οἱ φύλαρχοι δέκα, εἰς ἀπὸ φυλῆς μιᾶς ἕκαστος. In 440/39 two of the 10 generals, Pericles and Glaucôn (FHG iv 645), belonged to the same tribe, Acamantis; this is our earliest evidence for a departure from the older system; possibly the change was due to a desire to elect the ablest men,

νῦν δ' ἐξ ἀπάντων· καὶ τούτους διατάττουσι τῇ χειροτονίᾳ, ἓνα μὲν ἐπὶ τοὺς ὀπλίτας, δς ἡγείται τῶν ὀ[πλι]τῶν, ἅν ἐξίωσι, ἓνα δ' ἐπὶ τὴν χώραν, δς φυλάττει, καὶ πόλεμος ἐν τῇ χώρᾳ γίγνηται, πολεμεῖ οὗτος· δύο δ' ἐπὶ τὸν Πειραιέα, τὸν μὲν εἰς τὴν Μουνιχίαν, τὸν δ'

4 0...Τ(ΩΝ) ὀπλιτῶν H-L (K², B): Δ(?)...Τ(ΩΝ) π[ολι]τῶν K-W; δ[ημο]τῶν K¹.
ἐὰν H-L. 5 ΓΙΝ (K-W). ΠΟΛΕΜΕΙ: ἡγείται K-W. 6 ΠΕΙΡΑΙΕΑ (K. K-W,
B): Πειραιᾶ H-L. ΜΟΥΝΥΧ.

such as Pericles, independently of the tribe to which they belonged. But, even after the change, nearly all the tribes were in practice represented on the board. Thus in B.C. 433/2 out of seven generals, six belonged to different tribes; in 424/3, out of six whose demes are known, five; in 418/7, all the six whose demes are given; in 417/6, all the five; and in 357/6, six out of the seven. There is no example of more than one tribe being represented by two στρατηγοὶ in the same year (Hauvette-Besnault, *Les Stratèges Athéniens*, pp. 24—29).

διατάττουσι.] The fact that about this time the duties of the στρατηγοὶ were distributed over several members of the board was already known. The five officers charged with specific duties had already been identified, but it was not known that there were only five. The date of this change was supposed to fall between 334 and 325. In 334 B.C. (CIA ii 804 A 63) the στρατηγοὶ are still acting as a body in reference to the συμμορίαι, whereas in 325/4 we hear of a στρατηγὸς ἐπὶ τὰς συμμορίας. Cf. Hauvette-Besnault, *Les Stratèges Ath.*, pp. 159 ff. (Gilbert, i 220, and Busolt in Müller's *Handbuch*, iv i 162). The latest date actually mentioned in this treatise is B.C. 329; but it does not follow that the change in question took place earlier than that date, as the treatise may have been written in any year between B.C. 329 and 325.

ἐπὶ τοὺς ὀπλίτας.] In Lys. 32 § 5 we have what at first sight appears to be a mention of this officer: χρόνῳ δὲ ὑστερον καταλείπει Διόδωτος μετὰ Θρασύλλου τοῦ ἐπὶ τῶν ὀπλιτῶν (B.C. 410); and we know that Thrasyllus was elected a στρατηγὸς in the spring of 411 (Thuc. viii 76) and held office for 410/9 (*ib.* 104); but the words τοῦ ἐπὶ are omitted in two MSS, *Florentinus* and *Ambrosianus*, and the construction is parallel to καταλείπει τριηράρχων in Isaeus, *de Apoll. her.* 5.

The decrees in the *De Corona* mention δ' ἐπὶ τῶν ὀπλῶν στρατηγὸς (§ 38), τὸν ἐπὶ τῶν ὀπλῶν (115) and δ' ἐπὶ τῶν ὀπλιτῶν

(116), but these are forgeries of a later date (Hauvette-Besnault, p. 160 f.).

In CIA ii 302 (c. 394/3 B.C.) Philippides is described as [χειροτονη]θεὶς στρατηγὸς [ἐ]πὶ τοῖς ὀπλίταις ὑπὸ τοῦ δήμου. In ii 331 the career of Phaedrus is described: in 306/5 he was twice elected στρατηγὸς ἐπὶ τὴν παρασκευὴν, and was often elected στρ. ἐπὶ τὴν χώραν and thrice ἐπὶ τοὺς ξένους. It was probably after 272 B.C. that he was elected ἐπὶ τὰ ὅπλα στρατηγός and was afterwards χειροτονηθεὶς ἐπὶ τὰ ὅπλα πρῶτος ὑπὸ τοῦ δήμου στρατηγός. After the end of the fourth century this στρατηγός was the foremost member of the board. Ultimately in the theatre of Dionysus the only stall reserved for any of the στρατηγοὶ was inscribed with the title of στρατηγοῦ ἐπὶ τὰ ὅπλα.—The στρ. ἐπὶ τοὺς ὀπλίτας probably acted as president of the στρατηγοὶ (cf. Gilbert, i 222).

ἐπὶ τὴν χώραν] Plut. *Phocion*, 32, Δερκόλλου τοῦ ἐπὶ τῆς χώρας στρατηγοῦ (B.C. 317). CIA ii 331 (quoted above), and 1195 (towards the end of the 3rd cent.).

φυλάττει.] The φυλακὴ τῆς χώρας involved placing patrols at important points in the interior and along the coast; Thuc. ii 24, φυλακὰς κατεστήσαντο κατὰ γῆν καὶ κατὰ θάλασσαν. In Xen. *Mem.* iii 6, 10, περὶ φυλακῆς τῆς χώρας, mention is made of φυλακαὶ καὶ φρουροί. In B.C. 445 this φυλακὴ extended as far as Euboea; CIA iv 27 a, περὶ δὲ φυλακῆς Εὐβοίας τοὺς στρατηγὸς ἐπιμελεῖσθαι κτλ. In B.C. 342, [Dem.] 7 §§ 14, 15, it has expanded into a τῆς κατὰ θάλατταν φυλακῆς in a still wider sense. About B.C. 265, CIA 334, we find a decree in honour of those who ἐπέδωκαν εἰς τὴν σωτηρίαν τῆς πόλεως καὶ τὴν φυλακὴν τῆς χώρας. In the time of the text this duty, which had once been shared by all the στρατηγοὶ, was apparently divided between the στρατηγὸς ἐπὶ τὴν χώραν for the interior, and the two στρατηγοὶ ἐπὶ τὸν Πειραιέα for the coast,—assuming that φυλακῆς is the right reading in the passage referring to the latter.

ἐπὶ τὸν Πειραιέα.] In B.C. 324/3, CIA ii 811 c 434, Δικαιογένης ὁ στρατηγός is

εἰς τὴν Ἀκτὴν, οἱ τῆς φ[υ]λακῆς ἐπιμελοῦνται καὶ τῶν ἐν Πειραιεὶ·
 ἓνα δ' ἐπὶ τὰς συμ[μ]ορίας, ὃς τοὺς τε τριηράρχους καταλέγει καὶ
 τὰς ἀντιδόσεις αὐτοῖς ποιεῖ, καὶ τὰς διαδικασίας α[ὐτ]οῖς εἰσάγει·
 2 τοὺς δ' ἄλλους πρὸς τὰ παρόντα πράγματα ἐκπέμπουσιν. ἐπιχει- 10

7 φ.ΛΗC: Φ[υ]λῆς (vel φυλακῆς) κ¹, φυλακῆς κ-W et B deleto καὶ (φυλῆς et φυλα-
 κῆς Thucydides in codicibus saepe confusa esse monet Wardale, *Class. Rev.* v 273).
 χηλῆς Torr (H-L, κ²). [καὶ] κ-W (B), fortasse recte. 9 alterum αὐτοῖς secl.
 κ-W². 10 πράγματα supra scriptum delent H-L.

8—9 Phot. ἡγεμ. δικ.: τῷ στρατηγῷ περὶ τριηραρχίας καὶ ἀντιδόσεων.

mentioned in the same context as the overseer of the *νεώρια*. Between B.C. 318 and 229 the Peiraeus and Salamis were under an officer called the *στρατηγὸς ἐπὶ τοῦ Πειραιεύς* καὶ τῶν ἄλλων τῶν τατομένων μετὰ τοῦ Πειραιεύς (*Bull. Corr. Hellén.* vi 526). About 100 B.C. we read of *three* *στρατηγοὶ ἐπὶ τὸν Πειραιᾶ* (CIA ii 1207), and the archon of B.C. 97/6 is described as Ἀργεῖος Ἀργεῖου Τρικο[ρ]ύ-
 σιος) *στρατηγῆσας ἐπὶ τὸν Πειραιᾶ*, *ib.* 1206.

εἰς τὴν Μουνιχίαν) In B.C. 325/4 we find Philocles mentioned by Dinarchus, 3 § 1, as *στρατηγὸς ὑφ' ὧν ἐπὶ τὴν Μουνιχίαν καὶ τὰ νεώρια κεχειροτονημένοι*. On Munichia, cf. 19 § 2; 42 § 3.

εἰς τὴν Ἀκτὴν) possibly identical with the officer called the *στρατηγὸς ἐπὶ τὴν χώραν τὴν παραλίαν* in CIA ii 3, 1194 (the son of an official of B.C. 382/1), and 1195 (B.C. 241). The latter inscr. was found at Sunium. On Ἀκτὴ cf. 42 § 3.

φυλακῆς) sc. τῆς χώρας τῆς παραλίας, the rest of the *φυλακῆ* being assigned to the *στρ. ἐπὶ τὴν χώραν*.

ἐπὶ τὰς συμμορίας) B.C. 325/4, CIA ii 809 a 205—210, *ὅπως δ' ἂν αἱ σκῆψεις εἰσαχθῶσι, τοὺς θεσμοθέτας παρα[πλ]ηρώσαι δικαστήρια εἰς ἓνα καὶ διακοσίους τῷ στρατηγῷ τῷ ἐπὶ τὰς συμμορίας ἡρημένῳ*. The *σκῆψεις* mentioned in this inscr., and in c. 56 § 3, are the pleas put forward by one who maintains that another is better able to bear the expense of a trierarchy and who therefore challenges him either to undertake it or to exchange properties. It may also refer to any plea of exemption. It is used elsewhere (CIA ii 804) of the reasons pleaded by a trierarch for being unable to restore to the state the vessel confided to his care (Hauvette-Besnault, p. 143). For the relations of the board of *στρατηγῶν* to the *συμμορία* and the *τριηραρχία* before the distribution of offices among the members of the board, cf. Dem. 39 § 8, *τίνα δ' οἱ στρατηγοὶ τρόπον ἐγγράφουσιν, ἂν εἰς συμμορίαν ἐγγράφωσιν, ἢ ἂν τριηράρχον καθιστώσιν*, and

35 § 48, (*οἱ στρατηγοὶ*) *τριηράρχους καθιστάσιν*.

ἀντιδόσεις—ποιεῖ) [Dem.] 42 § 5, (on the 2nd of Metageitnion, August) *ἐποιοῦν οἱ στρατηγοὶ τοῖς τριακοσίοις τὰς ἀντιδόσεις*. Suid. s.v. *ἡγεμονία δικαστηρίου*.

διαδικασίας) e.g. [Xen.] *de Rep. Ath.* 3, 4, *διαδικάζειν, εἰ τις τὴν ναῦν μὴ ἐπισκευάζει*. CIA ii 795 f 39, *τρίηρεις αὐτὲς ἐπὶ Διοτίμου ἀρχοντος* (B.C. 354/3) *διεδικάσθησαν καὶ ἔδοξαν κατὰ χεῖμῶνα διαφθάρησαι, ib.* l. 60, *ἀριθμὸς τριήρων καὶ σκευῶν τῶν διαδεδικασμένων*. Boeckh, *Seeurkunde*, p. 214; Meier and Schöm. pp. 467 f. In [Dem.] 47 § 26 (B.C. 339) we read of the *ἀποστολεῖς* and the *νεωρίων* ἐπιμεληταί, that these were the officials who *ἐσάγγον τότε* (c. B.C. 344) *τὰς διαδικασίας περὶ τῶν σκευῶν*. Cf. Meier and Schöm. p. 475.

τοὺς δ' ἄλλους) This shows that the above list of special posts is complete by the time when the treatise was written.

In the spurious decrees quoted in Dem. *de Cor.* §§ 38, 115 an officer called *ὁ ἐπὶ τῆς διοικήσεως* is mentioned (in the former decree immediately after *ὁ ἐπὶ τῶν δπλων στρατηγός*, in the latter after *τὸν ἐπὶ τῶν δπλων*). It was once supposed that this was the title of one of the *στρατηγοὶ*, but it is now agreed that this was not the case (Boeckh, note 322 Fränkel; Schömann, p. 421 n. 3). Again, in CIA ii 331 Thymocharēs, the father of Phaedrus (who held office between B.C. 206 and 272) was *χειροτονηθεὶς στρατηγὸς ὑπὸ τοῦ δήμου ἐπὶ τὸ ναυτικόν*. In the same inscr. Phaedrus is described as *στρατηγὸς ἐπὶ τὴν παρασκευὴν καὶ ἐπὶ τοὺς ξένους*. The *στρ. ὁ ἐπὶ τὴν παρασκευὴν* is mentioned in CIA ii 403—405 in connexion with melting down the *τύπαι* dedicated to the *ἥρωος λατρός* (2nd century B.C.); also *ib.* 839. The decree in Pseudo-Plutarch ii p. 852 describes Lycurgus as *χειροτονηθεὶς ἐπὶ τῆς τοῦ πολέμου παρασκευῆς*, but this does not prove that he was a *στρατηγός*; and, in any case, these last titles belong to a later date than the text.

§ 2. *ἐπιχειροτονηία*) 43 § 4, at the *κυρία*

ροτομία δ' α[ύ]των ἐστὶ κατὰ τὴν πρυτανείαν ἐκάστην, εἰ δοκοῦσιν καλῶς ἄρχειν· κἂν τινα ἀποχειροτον[ή]σωσιν, κρίνουσιν ἐν τῷ δικαστηρίῳ, κἂν μὲν ἀλφῶ, τιμῶσιν ὃ τι χρὴ παθεῖν ἢ ἀποτ[εῖσ]αι, ἂν δ' ἀποφύγῃ, [π]άλ[ιν] ἄρχει. κύριοι δὲ εἰσιν, ὅταν ἡγῶνται, καὶ 15 δῆσαι τιν' ἀτακτοῦντα καὶ <ἐκ>[κ]η[ρ]ύξαι καὶ ἐπιβολὴν ἐπιβάλλειν· οὐκ εἰώθασι δὲ ἐπιβάλλειν.

χειροτονοῦσι δὲ καὶ ταξ[ι]άρχους δέκα, ἕνα τῆς φυλῆς ἐκάστης· 3 οὗτος δ' ἡγεῖται τῶν φυλετῶν, καὶ λοχαγούς καθίσ[τ]ησιν.

χειροτονοῦσι δὲ καὶ ἱππάρχους δύο ἐξ ἀπάντων· οὗτοι δ' 4

11 δοκοῦσι H-L. 13 ἀλλ(supra scr. ω)ωι. 14 ἐάν H-L. πάλιν ? K-W (K², B); τὰ [λαϊά] K¹; [ἐτι] H-L. κύριοι δ' H-L. 15 τιν: τιν' K, B: τὸν K-W, H-L. κηρύξαι (K): <ἐκ>κηρύξαι Blass, Lipsius (K-W, H-L). 16 δ' H-L.

§ 3 Bekk. An. 306, 12 ταξίαρχοι—: ἄρχοντες ἡγούμενοι τῶν πολιτῶν κατὰ φυλὴν, χειροτονητοί, δέκα τὸν ἀριθμὸν, οἳς ὑπετέτακτο τὸ πλῆθος κατὰ φυλὴν.

§ 4 Pollux viii 94 ἱππάρχου δὲ δύο ἐξ ἀπάντων Ἀθηναίων αἰρεθέντες ἐπιμελοῦνται τῶν πολέμων. *Harp. ἱππαρχος...λέγεται δὲ παρ' Ἀθηναίοις ἱππαρχος καὶ ὁ τῶν ἱππέων ἄρχων· δύο δ' ἦσαν οὗτοι, ὡς Δημ. ἐν δ' Φιλιππικῶν φησὶ καὶ Ἀρ. ἐν Ἀθ. πολ. Phot. ἱππαρχοι: δύο ἦσαν, οἱ τῶν ἱππέων ἡγούντο, "διελομένοι τὰς φυλάς" ἐκάτερος ἀνὰ πέντε· ἐπιμελλοῦνται δὲ εἰσι τῶν ἱππέων <οἱ φύλαρχοι additum ex Poll. viii 94> καθάπερ οἱ ταξίαρχοι δέκα ὅσους εἰς ἐφ' ἐκάστης φυλῆς τῶν ὀπλιτῶν (Frag. 391², 431⁶).

ἐκκλησία, ἐπιχειροτονεῖν εἰ δοκοῦσι καλῶς ἄρχειν. This procedure must have been instituted with special reference to military officials; hence the fulness with which it is treated here in comparison with 43 § 4 (Lipsius, Leipzig *Verhandl.* p. 49).

τιμῶσιν] It was a δική τιμητός (Meier and Schöm. p. 213 f, Lips.).

δῆσαι] During the Sicilian expedition Lamachus put to death a soldier who was caught signalling to the enemy, Lys. 13 § 67; and Iphicrates at Corinth transfixing with his spear a sentinel whom he found asleep at his post (Frontinus iii 12, 2). In Dem. 50 § 51 even a trierarch fears he may be put into bonds by a στρατηγός: φοβούμενος μὴ δεθείην. Cf. Xen. Mem. iii 5, 19, τοὺς ὀπλίτας καὶ τοὺς ἱππεῖς—ἀπεισεστάτους εἶναι πάντων.

ἐκκηρύξαι] One Simon, who arrived too late for the battle of Corinth and the march to Coroneia, had a scuffle with the taxiarch and struck him, καὶ πανστρατιά τῶν πολιτῶν ἐξελεθόντων, δόξας ἀκοσμήτατος εἶναι καὶ πονηρότατος, μόνος Ἀθηναίων ὑπὸ τῶν στρατηγῶν ἐξεκηρύχθη. This implies that the offender was expelled from the army, after being publicly proclaimed unworthy to serve as a soldier. Lys. 3 § 45.

ἐπιβάλλειν] [Lys.] 15 § 5, ἐχρὴν γὰρ αὐτοὺς (τοὺς στρατηγούς) εἴπερ ἀληθῆ λέγουσιν ἀνακαλεῖν μὲν Πάμφιλον ὅτι ἀφαιρῶν

τὸν ἱππὸν ἱππεῖς ἀπεστέρει τὴν πόλιν, ἐπιβάλλειν δὲ τῷ φυλάρχῳ, ὅτι ἐξελαιύνων Ἀλκιβιάδην ἐκ τῆς φυλῆς ἄκυρον ἐποίησε τὴν τούτων τάξιν, κελεύει δὲ τὸν ταξίαρχον ἐξαλείφειν αὐτὸν ἐκ τοῦ τῶν ὀπλιτῶν καταλόγου.

§ 3. ταξίάρχους] commanders of the 10 τάξεις of hoplites corresponding to the 10 φυλαί. They were instituted after 490 B.C. Dem. 4 § 26, οὐκ ἐχειροτονεῖτε δ' ἐξ ὑμῶν αὐτῶν δέκα ταξίάρχους καὶ στρατηγούς καὶ φυλάρχους καὶ ἱππάρχους δύο; each of the taxiarchs commanded the hoplites of a single tribe, Dem. 39 § 17, ταξίάρχων τῆς φυλῆς, Aeschin. F. L. 169, Τεμενίδου τοῦ τῆς Πανδιονίδος ταξίάρχου. ἡγεῖται τῶν φυλετῶν] As a rule the taxiarch was a member of the tribe which he commanded, Thuc. viii 92, ὁ Ἀριστοκράτης ἦν ταξίάρχων καὶ τὴν αὐτοῦ φυλὴν ἔχων, CIA ii 444, 446 (Gilbert, i 225).

λοχαγός] Isocr. 15 § 117, Isaeus 9 § 14. The text shews that they were appointed by the ταξίαρχοι, and not, as has been supposed (Gilbert i 225), by the στρατηγός.

§ 4. ἱππάρχους] Their importance is implied by Lys. 26 § 20, ἀντὶ τούτων αὐτοὺς ὁ δῆμος ταῖς μεγίσταις τιμαῖς τιμῆκεν, ἱππαρχεῖν καὶ στρατηγεῖν καὶ πρεσβεύειν ὑπὲρ αὐτῶν αἰρούμενοι. δύο] Dem. 4 § 26 supra, CIA ii 445, 15.

ἡγούνται τῶν ἱππέων, διελόμενοι] τὰς φυλὰς πέντε ἐκάτερος· 20
κύριοι δὲ τῶν αὐτῶν εἰσιν, ὥνπερ οἱ στρατηγοὶ κατὰ τῶν ὀπλι[τῶν].
ἐπιχειρο]τονία δὲ γίγνεται <καὶ> τούτων.

5 χειροτονοῦσι δὲ καὶ φυλάρχους <δέκα>, ἓνα τῆς φυλῆς, τὸν
ἡγ[ησά]μενο[ν] <τῶν ἱππέων>, ὥσπερ οἱ ταξίαρχοι τῶν ὀπλιτῶν.

6 χειροτονοῦσι δὲ καὶ εἰς Λῆμνον ἵππαρχον, ὃς ἐπιμ[ελ]εῖται 25
τῶν ἱππέων τῶν ἐν Λήμνῳ.

7 χειροτονοῦσι δὲ καὶ ταμίαν τῆς Παράλου καὶ ἄλλον τῆς
[τοῦ Ἄ]μμωνος.

21 ὥνπερ εἰς: εἰς ὥνπερ van Leeuwen (H-L, K-W, K³, B); ὥνπερ Gertz.
22 ΓΙΝ (K-W). ΤΟΥΤΩΝ K: <καὶ> τούτων Gertz, Lips., K-W, H-L, B. 23 post
φυλάρχους add. δέκα Richards, K-W, H-L, B; post δὲ καὶ excidisse antea putabam.
24 τῶν ἱππέων Pollucem secutus add. K (K-W, H-L, B).

§ 5 Pollux viii 94 οἱ δὲ φυλάρχοι δέκα, εἰς ἀπὸ φυλῆς ἐκάστης, τῶν ἱππέων
πρῶταται, καθάπερ οἱ ταξίαρχοι τῶν ὀπλιτῶν. *Harp. φυλάρχος:...ὁ κατὰ φυλὴν
ἐκάστην τοῦ ἱππικοῦ ἄρχων, ὑποταγμένος δὲ τῷ ἱππάρχῳ, ὡς Ἄρ. ἐν τῇ Ἀθ. πολ. φησί
(Frag. 392², 432²).

§ 7 Harp. ταμίαι:...εἰσι δὲ τινες καὶ τῶν (λερῶν) τριήρων ταμίαι, ὡς ὁ αὐτὸς
φιλόσοφος (sc. Ar.) φησιν (cf. Suid. ταμίαι art. 2). Phot. s.v. εἰσι δὲ καὶ ἄλλοι ταμίαι,
ἀρχόντες χειροτονητοὶ ἐπὶ τὰς λεραὶς καὶ δημοσίας τριῆρεις, ὁ μὲν ἐπὶ τὴν Πάραλον, ὁ δὲ
ἐπὶ τὴν τοῦ Ἀμμωνος. Pollux viii 116 ταμίαι ἐκάδουν τοὺς ταῖς λεραῖς τριῆρεσι λειτουρ-
γοῦντας, ἄλλους ἢ τριηράρχους (cf. Frag. 402², 442²).

*Lex. rhet. Cantab. Πάραλος καὶ Σαλαμνία: ταύτας τὰς τριῆρεις εἶχον διὰ παντὸς
πρὸς τὰς ἐπικυβότας ὑπηρεσίας, ἐφ' αἷς καὶ ταμίαι τινὲς ἐχειροτονοῦντο... Ἀριστοτέλης δὲ
Ἀμμωνίδα καὶ Πάραλον οἶδε. Schol. in Dem. p. 636, 16 Dind....καὶ Ἀμμωνιάς ἐπειδὴ
τῷ Ἀμμωνί δι' αὐτῆς τὰς θυσίας ἔπεμπον. Cf. Phot. s.v. Πάραλοι et Πάραλος, Harp.
s.v. Ἀμμωνίς, Lex. Dem. Patm. p. 150 (Frag. 403², 443²).

τὰς φυλὰς πέντε ἐκάτερος] Xen.
Hierarch. 3 § 11, ὅταν οἱ ἱππάρχοι ἡγῶνται
ταῖς πέντε φυλαῖς.

κύριοι] The disciplinary powers of the
ἱππάρχοι are illustrated by Hesych. s.v.
ἱππάρχου πίναξ: ἐπεὶ οἱ ἱππάρχοι ἐν πίναξ
τὰ ὀνόματα τῶν ἀτακτούντων γράφοντες
παρεσημειοῦντο.

§ 5. φυλάρχους] In CIA ii 444, 445 the
φυλάρχοι belong to the tribes which they
command.

§ 6. εἰς Λῆμνον ἵππαρχον] This officer
was in command of a corps of Athenian
cavalry stationed in Lemnos. That
island had long been in the possession of
Athenians and was held by Athenian κλη-
ροῦχοι. Athens had recovered possession
of Lemnos, Imbros and Scyros before
B.C. 387 and her right was recognised in
that year by the 'peace of Antalcidas'.
Hyperides, *pro Lycophron*, c. 14, ὁμοί-
α γὰρ με, ὡς ἄνδρες δικασταί, πρῶτον μὲν
φυλάρχον ἐχειροτονήσατε, ἔπειτα εἰς Λῆμ-
νον ἵππαρχον, καὶ ἤρξα μὲν αὐτόθι δού-
λῃ τῶν πόλεθ' ἱππαρχοῦ μόνος, προσ-
κατέμεινα δὲ αὐτόθι τὸν τρίτον ἐνιαυτὸν οὐ
βουλόμενος πολίτας ἄνδρας ἐπὶ κεφαλῇ

εἰσπράττειν τὸν μισθὸν τοῖς ἱππεύσιν ἀπὸ ῥως
διακειμένων. στεφάνοις δὲ τρισὶν ἐστε-
φανώθη ὑπὸ τοῦ δήμου τοῦ ἐν Ἐφαιστία
καὶ ἑτέροις ὑπὸ τῶν ἐν Μυρίνῃ. Dem. 4
§ 27, εἰ μὲν Ἀθήμων τὸν παρ' ὁμῶν ἱππαρχον
δεῖ πλεῖν. CIA ii 14 (B.C. 387/6), [ἱππαρ-
χοῦντος ἐν Λήμνῳ. CIA ii 593 (a decree
passed by the κληροῦχοι at Myrina after
the third Macedonian war), ἐπὶ δὲ Ἀθήμων
στρατηγούντος Φιλαρχίδου Παιανιεύς ἱπ-
παρχοῦντος τὸ δεύτερον Τελεσιδήμου τοῦ
Ἀμνίου Ἐκαλήθεν. Cf. Gilbert, i 424—5;
Hauvette-Besnault, pp. 169, 170.

§ 7. ταμίαν τῆς Παράλου] In Dem.
Mid. § 173, Midias is described as saying:
ἱππάρχηκα, τῆς παράλου ταμίαις γέγονα.
Demosthenes adds: τῆς μὲν παράλου τα-
μιεύσας Κυβικηνρὸν ἤρπασε πλεῖν ἢ πέντε
τάλαντα. § 174. Midias allowed the Paralus
to be outstripped in speed by one of the
ordinary triremes, οὕτως εὐ τὴν λερὰν
τριῆρη παρεσκευάκει. The ταμίαις Παράλου
is mentioned in CIA ii 804 B 66 (B.C.
334/3), and probably also in 808 A 79
(B.C. 326/5). The ταμίαις provided for
the sacred trireme at the cost of the state
all that, in the case of ordinary vessels,

62. αἱ δὲ κληρωταὶ ἀ[ρχ]αὶ πρότερον μὲν ἦσαν αἱ μὲν μετ' ἐννέα ἀρχόντων ἐ[κ] τῆς φυλῆς ὅλης κληρούμεναι, αἱ δ' ἐν Θησείῳ

LXII 1 ΜΕΤ (κ, κ-ω, β): μετὰ τῶν (μ᾽) Gennadios, H-L.

was provided by the trierarch himself. The ship was entirely manned by Athenians (Thuc. viii 73, 5) who were paid 4 obols a day (Harpocr. s.v.). Cf. Boeckh, 305 ff. Fränkel. The Paralos and Salaminia are mentioned in Arist. *Av.* 1207 and Thuc. iii 33, 2: the Salaminia was sent in pursuit of Alcibiades in vi 53, 1 and 61, 4 (cf. Arist. *Av.* 147). A statement in Photius (s.v. παράλοι), λέγεται δὲ ἡ αὐτὴ καὶ Σαλαμινία, led Boeckh to accuse Photius of confounding the two triremes with one another, which is inconsistent with the same lexicographer's article on παράλοι. Mr Marindin, in *Dict. Ant.* ii 827 a, understands ἡ αὐτὴ as meaning 'of a similar character'; but I should prefer attributing the mistake to a careless citation from the Schol. on *Av.* 1204, where we are told that, if, instead of Πάραλος ἡ Σαλαμινία, we read Πάραλος ἡ Σαλαμινία: ἔσται ἡ αὐτὴ Πάραλος καὶ Σαλαμινία.

l. 28. τοῦ Ἄμμωνος] It follows from the passages quoted in the *Testimonia* that the state-trireme, formerly called the Σαλαμινία, was superseded by one named after Ζεὺς Ἄμμων and known as the Ἄμμωνις (Harpocr.) or Ἄμμωνιάς (Lex. Rhet. Cant.). It was specially intended to convey θεωραὶ to the coast of Cyrene, on their way to the shrine of Ζεὺς Ἄμμων. Cimon sent from Cyprus to consult the oracle shortly before his death (Plut. *Cim.* 18); in the *Apes*, 716 and 618, Ammon is mentioned by the side of Delphi and Dodona; and it is therefore possible that θεωραὶ may have been sent there as early as 415 B.C. In [Plat.] *Alc.* ii 148 E, the Athenians consult the oracle on the question why they were constantly being beaten by the Lacedaemonians. We have a record of a sacrifice to Ἄμμων on the part of the στρατηγοὶ in B.C. 333 (CIA ii 741, 32); Boeckh ii 118—121 Fränkel. Thus it seems probable that the oracle was originally consulted by Athens in connexion with military undertakings, and this custom may account, not only for the sacrifice offered by the στρατηγοὶ, but also for the connexion in which the vessel is mentioned in this chapter, at the close of a description of the military officers of Athens.—Hesych. s.v. Ἀμμών (Ἀμμωνία?) has ἐσορῇ Ἀθήνησιν ἀγομένη, and it would be natural that the general interest in

the oracle should be increased by the visit paid by Alexander the Great in B.C. 331. The sacred trireme Ἄμμωνις was mentioned by Dinarchus in his speech against Himeræus (Harpocr. s.v. Ἀμμωνις), which may be assigned to B.C. 324 (Rose, *Ar. Pseud.* p. 397).

It has been suggested (by Rose, l.c.) that the name of the sacred trireme Salaminia was changed in consequence of the revolt of Salamis in B.C. 318 (Paus. i 35, 2; Polyæn. iv 11, 1; Diod. 18, 69; CIG i p. 418), but the text shews that the Ἄμμωνις superseded it at an earlier date.

The name Salaminia was in itself not uncommon. Thus, in B.C. 357/6 there were two ships bearing the name Salaminia (one belonging to the second class, CIA ii 793 b 33; the other, one of the νῆες ἐξαίρετοι, ib. c 32); a trireme named Salaminia founded at sea shortly before B.C. 325/4 (CIA ii 809 d 29 and 811, 89); and a τετρήρης of the same name occurs in an inscr. of B.C. 323/2 or shortly after: CIA ii 812 a 123. In the same inscr., a 25 and 42, there are two triremes named Παραλλα (not Πάραλος). All these, however, are *warships*. Not one of the sacred triremes is mentioned in the naval archives of Athens. Cf. Boeckh II xvi, vol. I p. 306—7, and note 448 Fränkel.

LXII. Salaries.

§ 1. αἱ μὲν μετ' ἐννέα ἀρχόντων] It is not known what offices are meant: Mr Kenyon suggests that the phrase included 'all the various boards of ten.' A similar phrase occurs in the ὅρκος ἡλιαστών in Dem. c. *Timocr.* 150, τῶν ἐννέα ἀρχόντων καὶ τοῦ ἱερομνήμονος καὶ δσαι (ἀρχαὶ) μετὰ τῶν ἐννέα ἀρχόντων κναμένοντα ταύτη τῇ (τῇ αὐτῇ) ἡμέρᾳ, καὶ κήρυκος καὶ προσβέλας καὶ συνέδρων.

αἱ δ' ἐν Θησείῳ κληρούμεναι] 'the offices assigned by lot in the Theseum' (c. 15 § 4). In Aeschines, c. *Ctes.* § 13 (B.C. 336—330), the offices to which the people elect (χειροτονεῖ), such as those of the στρατηγοὶ and ἑπταρχοί, are contrasted with those ἀσὶ θεσμοθέται ἀποκληροῦσιν ἐν τῷ Θησείῳ. It might be inferred from this that the Theseum was the only place in which the allotment was held; whereas the text implies that the archons were appointed elsewhere. The place is not known.

κληρούμεναι διηρῶντο εἰς τοὺς δῆμ[ο]υς· ἐπειδὴ δ' ἐπώλουν οἱ δῆμοι, καὶ ταύτας ἐκ τῆς φυλῆς ὅλης κληροῦσι πλὴν βουλευτῶν καὶ φρουρῶν· τούτους δ' εἰς τοὺς δ[ημότ]ας ἀποδιδόασιν.

2 μισθοφοροῦσι δὲ πρῶτον [μὲν ὁ δῆμος] ταῖς μὲν ἄλλαις ἐκκλησίαις δραχμὴν, τῇ δὲ κυρίᾳ ἑννέα <ὀβολούς>· ἔπειτα τὰ δικ[αστήρια] τρεῖς ὀβολούς· εἴθ' ἡ βουλὴ πέντε ὀβολούς. τοῖς δὲ πρυτανεύουσιν εἰς σίτησιν [ὀβολὸς π.] προστίθεται [[δέκα προστίθενται]]. ἔπειτ' εἰς σίτησιν λαμβάνουσιν ἑνν[έα ἀρχον]τες τέττα[ρας] ὀβολούς ἕκαστος, 10

3 <αί> διηρῶντο Gertz, H-L. 7 ἑννέα <ὀβολούς> K-W, H-L. 9 ὀβολὸς Blass (et K³), deletis quae sequuntur δέκα προστίθενται: scilicet scriptum erat: ἵππο-τιθεται, ubi ἵ significat εἰς ὀβολός, sed male intellectum pro δέκα erat acceptum; inde exortum additamentum δέκα προστίθενται. εἰς ὀβολός Rutherford, H-L; satis spatii relictum si ἵοβολός scriptum erat. 10 <οί> ἑννέα Gennadios, H-L; ἑννέα K, K-W, B, coll. v. 2.

διηρῶντο] 'used to be distributed over' the demes.

πλὴν βουλευτῶν] This shews that the preliminary appointment of members of the Council was made by the demes. The fact that the demes lost the preliminary appointment to certain offices, owing to their being corrupt, makes us understand how it was possible for Aeschines to taunt Demosthenes with having secured his appointment as βουλευτῆς by bribery and intrigue. Aesch. in Ctes. 62, οὔτε λαχὼν οὔτε ἐπιλαχὼν ἀλλ' ἐκ παρασκευῆς πριάμενος, 73, βουλευτῆς ὧν ἐκ παρασκευῆς.

The lists of Prytanies for the fourth century (CIA II 864—874) prove that the number of members of the Council belonging to each deme varies with the size of the deme, and that the number appointed from the same deme is constant. It was inferred from this that a certain number were appointed from each deme, and not from the whole tribe indiscriminately (Köhler in *Mittheil.* iv 97; Hauvette-Besnault in *Bull. Corr. Hell.* v 361; Headlam, *On the Lot*, pp. 55, 56). This inference is confirmed by the text. Probably each deme nominated twice the requisite number; half of these were appointed by lot, and the rest held in reserve to take their places if necessary (Headlam, p. 188). Even in the case of offices filled by lot something of the nature of candidature is implied by Lys. 31 § 33 (of one who had drawn the lot to be a βουλευτής), προθύμως κληρωσόμενος ἦλθε, 6 § 4, ἂν ἐλθῇ κληρωσόμενος τῶν ἑννέα ἀρχόντων (cf. 20 § 13), and Isocr. 15 § 82, κληροῦσθαι τῶν ἀρχῶν ἑνεκα.

φρουρῶν] possibly the 500 φρουροί

νεωρίων, mentioned with the 500 βουλευταί in 24 § 3.

§ 2. δραχμὴν] At the end of c. 41 the highest sum named as the μισθὸς ἐκκλησιαστικός was 3 obols. The text implies that this sum had been doubled. In Arist. *Vesp.* 691 and Schol. a drachma is the sum paid at that time to the συνήγοροι, but there is no probability that that is the fee here meant.

τρεῖς ὀβολούς] In 27 § 3 the institution of the μισθὸς δικαστικός by Pericles is mentioned; but the amount is not named. It was raised to three obols by Cleon. (Schol. Arist. *Vesp.* 88, 300; Gilbert i 325—6.)

πέντε ὀβολούς] one obol more is the amount named in Hesych. s. v. βουλῆς λαχεῖν· τὸ λαχεῖν βουλευτῆν καὶ δραχμὴν τῆς ἡμέρας λαβεῖν. Hesychius has probably confounded the five obols paid to the ordinary βουλευτῆς with the six paid to the πρυτάνεις. Thuc. viii 69 mentions the μισθὸς without naming the amount.

ἀρχοντες κτλ.] This shews that the archons, amongst others, actually received something of the nature of a stipend. It was supposed by Schömann (*Anst.* p. 402) that the 'executive functionaries' (ἀρχοντες) as well as the 'commissioners' (ἐπιμεληταί), as contrasted with the 'subordinates' (ὑπηρεταί), 'served without pay.' Boeckh, II xvi p. 304 Fränkel, more cautiously describes this as the 'original' distinction between an ἀρχὴ and a ὑπηρεσία. c. 24 § 3 mentions the 700 ἀρχαὶ ἐνδημαί as in receipt of pay; and in c. 29 § 5 the board of Thirty appointed in B.C. 411 propose τὰς ἀρχὰς ἀμίσθους ἄρχειν ἀπάσας ὥς ἂν ὁ πόλεμος ᾖ, πλὴν τῶν ἑννέα ἀρχόντων καὶ τῶν πρυ-

καὶ παρατρέφουσι κήρυκα καὶ αὐλητὴν ἔπειτ' ἄρχων [εἰς Σαλα]-
μῖνα δραχ[μὴν] τῆς ἡμέρας. ἀθλοθέται δ' ἐν πρυτανείῳ δειπνοῦσι
τὸν ἐκ[ατομβ]αῖωνα μῆνα, ὅ[τ]αν ᾗ τὰ Παναθήναια, ἀρξάμενοι ἀπὸ
τῆς τετράδος ἱσταμένου. ἀμ[φι]κτύονες εἰς Δῆλον δραχμὴν τῆς
15 ἡμέρας ἐκάστης ἐκ Δήλου <λαμβάνουσι>. λαμβάνουσι δὲ καὶ
ὅσαι ἀποστέλλονται ἀρχαὶ εἰς Σάμον ἢ Σκύρον ἢ Λήμνον ἢ Ἴμβρον
εἰς σίτησιν ἀργύριον.

ἄρχειν δὲ τὰς μὲν κατὰ πόλεμον ἀρχὰς ἔ[ξεσ]τι πλεονάκεις, τῶν 3
δ' ἄλλων οὐδεμίαν, πλήν βουλεύσαι δις.

12 <τῷ> πρυτανεῖοι H-L. 13 Ο[Τ]ΑΝ (K-W, K³, B): ὅ ἂν K¹, H-L. 15 <λαμ-
βάνουσι> add. κ (K-W, H-L): nihil addit B.

τῶν αὖ ἂν ὥσω, τοῖσιν δὲ φέρειν τρεῖς
ὁβολοὺς ἕκαστον τῇ ἡμέρᾳ. This implies
(as observed by Mr Kenyon) that 'the
magistrates named, and others who are not
named, received pay.' [Xen.] *de Rep. Ath.*
1, 3, says that the δῆμος is not eager for
offices like those of στρατηγός or ἱπάρχος,
—ὅποσαι δ' εἰσὶν ἀρχαὶ μισθοφορίας ἕνεκα
καὶ ὠφελείας εἰς τὸν οἶκον, ταύτας ζητεῖ ὁ
δῆμος ἀρχεῖν.

κήρυκα καὶ αὐλητὴν] Both the κήρυξ τῷ
ἀρχοντι and the αὐλητῆς are mentioned in
CIA iii 1005 and 1007 (Gilbert i 157 n. 4).
ἀρχων εἰς Σαλαμῖνα] 54 § 8.

ἀθλοθέται] 60. ἑκατομβαιώνια] The
principal day of the greater Panathenaea
(54 § 7; 60 § 1) was the third from the
end of Hecatombaeon. Probably the
lesser Panathenaea were also held in the
same month: in Dem. c. *Timocr.* 28, the
Panathenaea (of Ol. 106, 4, B.C. 353) are
at hand on Hecatombaeon 11th. In the
text the greater Panathenaea alone appear
to be meant.

ἀμφικτύονες εἰς Δῆλον] the Athenian
Commissioners of the funds of the Delian
temple, called ἀμφικτύονες because *in*
theory they were the deputies of the
Ἴώνων τε καὶ περικτιόνων νησιωτῶν (Thuc.
iii 104). The 'Sandwich marble,' now
in the library of Trinity College, Cam-
bridge, records their accounts from B.C.
377 to 374, beginning τὰδε ἔπραξαν ἀμ-
φικτύονες Ἀθηναῖων. Each Amphictyon
administered the temple for one year,
beginning with Hecatombaeon, the first
month in the Attic civil year (Hicks, *Gk.*
Hist. Inscr. p. 142—148; CIA ii 814).
ἐκ Δήλου, from the funds of the Delian
temple.

Σάμον] Athenian κληροῦχοι were set-
tled in Samos after its conquest by Timo-
theus in B.C. 365. κληροῦχοι were also

sent in 361 and again in 351 (Aeschin. i
§ 53; A. Schaefer, *Dem.* i² p. 99 n,
p. 474 n).

After the autumn of 321 the Athenians
were no longer in a position to send ἀρχαὶ
to Samos; at that date the island ceased
to be under their control, and the Samians
banished by Athens were restored by Per-
diccas, Diod. xviii 18 (F. Cauer in *Berl.*
Phil. Woch. 9 April, 1892, p. 458).

Σκύρον.. Λήμνον.. Ἴμβρον] The γραμ-
ματεὺς τοῦ δήμου for each of these islands
is mentioned in inscriptions published in
Bull. Cor. Hell. 1879 p. 63, CIA ii 592:
and Conze's *Reise*, p. 88, respectively;
also, in Scyros, a ταμίης τοῦ δήμου (*Bull.*
Cor. Hell. i. c.). Cf. Gilbert, i 424.

§ 3. τὰς μὲν κατὰ πόλεμον—πλεονάκεις]
Thus Pericles was general for 15 years,
and Phocion 45 times (Plut. *Per.* 15, *Phoc.*
8).—In *Pol.* 1371-b 24, (it is character-
istic of a democracy) τὸ μὴ δις τὸν αὐτὸν
ἀρχεῖν μηδεμίαν ἢ ὀλιγάκις ἢ ὀλίγας ἔξω
τῶν κατὰ πόλεμον. Dem. *Prooem.* p.
1461, 9, δεινότεροι γὰρ ἐστ' ἀφελέσθαι μὲν
δο' ὑμῖν ὑπάρχει, καὶ νόμοις περὶ τούτων
θεῖναι, ἂν τις ἀστυνομήσῃ δις ἢ τὰ τοιαῦτα,
στρατηγεῖν δ' αἶε τοὺς αὐτοὺς εἶναι, c. *Timocr.*
149 (δρκος ἡλιαστικὸς), οὐδὲ δις τὴν αὐτὴν
ἀρχὴν τὸν αὐτὸν ἄνδρα καταστήσω. *Pol.*
1299 a 10, μὴ τὸν αὐτὸν δις ἄλλ' ἀπαξ
μόνον. 1275 a 25, δις τὸν αὐτὸν οὐκ ἔξεστω
ἀρχεῖν ἐνίας (ἀρχάς).

The effect of the rule forbidding more
than one reappointment to the Council
was to give every Athenian citizen at some
period of his life a seat in that body.
At the time when the number of citizens
was at its highest (about 30,000 in 460
B.C.), it is probable that the number who
reached the age of 30 in each year, and
thus became qualified for the Council, was
rather less than 1,000 (Headlam, *On the*

1317

63. τὰ δὲ δικαστήρια [κ]λη[ροῦσιν] οἱ ἐννέα ἄρ[χο]ντες κατὰ φυλάς, ὁ δὲ γραμματεὺς τῶν θεσμο[θετῶν τῆς] δεκάτης φυλῆς.
2 εἰσοδοὶ δὲ εἰσιν εἰς τὰ δικασ[τῆ]ρια δέκα, μία τῇ φυλῇ ἐκάστη, καὶ κλη[ρωτῆ]ρια εἴκοσι, δ[ύο τῇ] φυλῇ ἐκάστη, καὶ κιβώτια ἐκατόν,

LXIII 1 τὰδ(ε)τα corr. K. πληροῦσιν Dareste. 2 <τούς> τῆς H-L,
coll. c. 59 ult. 3 δικαστήρια: an κληρωτήρια?

TESTIMONIA. LXIII Schol. ad Arist. *Vesp.* 775 (v. Testim. c. 59 ult.). Schol. ad Arist. *Plut.* 277, p. 340 a 21 Dübner: (§ 4) ἔρχεται ἕκαστος εἰς τὸ <δικαστήριον> πινάκιον ἔχων "ἐπιγεγραμμένον τὸ ὄνομα" αὐτοῦ καὶ "πατρόθεν καὶ τοῦ δήμου" "καὶ γράμμα ἐν" τι "μέχρι τοῦ κ," διὰ τὸ πάλαι δέκα φυλάς εἶναι Ἀθήνησι, διήρητο γὰρ "κατὰ φυλάς." (§ 1) εἶτα οἱ θεσμοθέται κατὰ φυλὴν ἕκαστος καὶ δέκατος ὁ γραμματεὺς ἐκλήρουν τὰ γράμματα μέχρι τοῦ κ καὶ τὰ λαχόντα ἴσα τὸν ἀριθμὸν τοῖς μέλλουσι κληροῦσθαι δικαστηρίοις, (§ 5) ὑπηρέτης φέρων ἐτίθει καθ' ἕκαστον δικαστήριον ἐν εἰς πάλιν ἀπεκληροῦντο οἱ τὰ εἰληχότα γράμματα ἔχοντες τίνες δικάσουσι καὶ τίνες οὐ. *ib.* 972 Ἀθηναῖοι γὰρ ἀπὸ τῶν φυλῶν ἐποιοῦν τοὺς δικαστάς κατὰ γράμμα, οἷον ἡ πρώτη τὸ α ἔσχε σημεῖον, καὶ ἡ δευτέρα τὸ β, καὶ αἱ ἄλλαι ὁμοίως ἕως τοῦ κ.

Lot, p. 50 n). Each of these might be a member of the 500 twice in his life, but not oftener. In the few cases in which the names of the βουλευταὶ from the same deme are preserved for more than one year, only one case of reappointment is to be found, viz. Διονόσιος Ἡφαιστίωνος of the deme Φιλαῖδαι, (in the middle of the fourth century) CIA ii 870, 3, and (in B.C. 341) 872, 17.

Boeckh, ii 515 Fränkel, states his conviction that no one could be a member of the βουλή for two consecutive years: the text proves that it was possible.

As regards other offices, we know the names of a large number of ταμίαι, ἑλληνοταμίαι καὶ ἐπιμεληταί; but we never find one man holding the same office twice (*Headlam*, p. 91).

LXIII to the end. *The Law-Courts.*

On the Athenian procedure for the distribution of the δικασταὶ over the several δικαστήρια, see Schömann, *De Sortitione Iudicum apud Athenienses*, Opusc. Acad. i 200—229; Schömann, *Ant.* p. 475 E. T.; *Att. Process*, pp. 146—162 Lips.; Fränkel, *Att. Geschworenengerichte*, 1877, pp. 92 ff.; Gilbert, i 374—7; Busolt in Müller's *Handbuch*, iv i 180; and Caillemier in Daremberg and Saglio's *Dict.* iii 191.

§ 1. δικαστήρια κληροῦσιν] Pollux, viii 87, mentions as one of the duties of the archons, κληροῦν δικαστάς. A distinction must, however, be drawn between κληροῦν δικαστάς, which refers to the original assignment of dicasts to a heliastic division by means of the lot (c. 59 § 7), and κληροῦν δικαστήρια, which refers to the allotment of the several law-courts to the dicasts so

appointed (*ib.* § 5). [Dem.] 47 § 17, κληρουμένων τῶν δικαστηρίων, and 37 § 39, τῶν δικαστηρίων ἐπικεκληρωμένων.

κατὰ φυλάς is not meant to imply that each δικαστήριον was allotted to a different tribe, but that representatives of all the tribes sat in each δικαστήριον. Hitherto it has generally been supposed that the daily allotment was not 'by tribes,' but by heliastic divisions or 'sections' (Schömann, *Ant.* p. 475).

§ 2. εἰσοδοὶ κτλ.] the separate entrances for the members of the several tribes would not only facilitate entrance and exit, but also make it easier to detect personation. It may perhaps be inferred that the members of each tribe sat together in the court.

It seems premature, however, to mention the entrances to the law-courts at this stage of the description; it may therefore be suggested that δικαστήρια has been written by mistake for κληρωτήρια. The εἰσοδοὶ in l. 7 is clearly the entrance into the pair of κληρωτήρια assigned to each tribe.

κληρωτήρια] either (1) 'vessels for holding lots' (*urnes à lots*, Reinach); or (2) 'rooms in which the dicasts have their several courts allotted to them' (so Kaibel and Kiessling, Poland, and Haus-soullier). Mr Kenyon gives in the text of his translation 'twenty vessels for holding votes,' adding in the note the alternative rendering, 'rooms in which the jurors are elected.'

(1) is the preferable sense in Arist. *Ecccl.* 682, BA. τὰ δὲ κληρωτήρια ποὶ τρέψεις; IP. ἐς τὴν ἀγορὰν καταθῆσω κῆρα στήσασα παρ' Ἀρμοδίῳ κληρώσω

5 δέκα τῇ φυλῇ ἐκάστη, καὶ ἕτερα κιβώτια [α δέκα, εἰς ἃ ἐ]μβάλλεται
τῶν λαχόντων δικα[σ]τῶν τὰ π[ινά]κια, καὶ ὑδρίαί δύο· καὶ βακ-
τηρίαί παρατίθενται κατὰ τὴν εἰσοδον] ἐκάστην ὅσοι περ οἱ δικα-
[σ]ταί, καὶ βάλανοι εἰς τὴν ὑδρίαν ἐμβάλλονται ἴσαι ταῖς βακτη-
ρίαῖς, [γ]έγραπται δὲ ἐν ταῖς βαλάνοις τῶν στοιχείων ἀπὸ τοῦ
10 ἐνδεκάτου, τοῦ λ [τριακοστοῦ], ὅσα περ ἂν μέλλῃ [τ]ὰ δικαστήρια
πληρωθῆσθαι. δικάζειν δ' ἕξεσιν τοῖς ὑπὲρ τριάκοντα ἔτη γε- 3

5 εἰς δ B: οἱς K etc.

6 ΒΑΚΤΗΡΙΑ corr. K.

7 ΟΥΣΟΙ ΠΕΡ corr. K.

8 ταῖς βακτηρίαῖς: ἀπ τοῖς δικαστήριοις?

9 τ(ΩΝ) ΣΤΟΙΧΕΙ(Ν) Blass (K³): [τΔ]

στοιχεῖα (K¹, K-W, H-L). τοῦ ἐνδεκάτου delet Rutherford (H-L).

10 τριακοστοῦ

del. K (K-W, H-L, B).

εάν.

ἀπαντας (where the Schol. absurdly explains κληρωτήρια as τὰς κληρωτὰς ἀρχάς). κληρωτῆρις means an urn for holding votes in Schol. Arist. *Vesp.* 674, κληρωτῆριδι τῶν ψήφων, and 752, τοῦ κήρυκος τὴν κληρωτῆριδα προσφέροντος, ἔβαλον τὰς ψήφους. Both senses are recognised in Pollux x 61, κληρωτήριον· εἰ γὰρ καὶ ἐπὶ τοῦ τόπου ἔοικεν εἰρῆσθαι τοῖς νόμοις ἐν τῷ Γῆρα Ἀριστοφάνους, ἀλλὰ καὶ ἐπὶ τοῦ ἀγγείου ἂν ἐπαρμόσειεν. The sense is uncertain in Eubulus ap. Athen. 640 B, κλητῆρες .. μάρτυρες .. δίκαι .. κληρωτήρια .. κληψύδραι, νόμοι, γραφαί, and in CIA ii 441, [ἀνα]γράφαι δὲ τὸδε [τὸ ψήφισμα - -] κληρωτήριον λυθ [ι - -]ιον.

(2) is supported by Plut. ii 793 D, πρεσβύτης—ἐπίκουρος καὶ ταλαίπωρος ἡ πρὸς πάντων ἀεὶ κληρωτήριον ἀπαντῶσα φιλαρχία, παντὶ δὲ ἐφεδρεύοντα δικαστήριον καιρῷ καὶ συνεδρίῳ πολυπραγμοσύνη, Pollux ix 44, κληρωτήρια ἐνθα κληροῦνται οἱ δικασταί, and Bekk. *Anecd.* p. 47, κληρωτήρια: ἐνθα κληροῦνται οἱ δικασταί. It certainly has this meaning in col. 31 l. 18, ὁ ἀρχὼν τὴν φυλὴν κα[λεῖ] εἰς τὸ κληρωτήριον, and it therefore seems best to understand it in the same sense in the present passage. It is not obvious why each tribe requires two κληρωτήρια, unless we are to suppose that one of them was merely an antechamber serving as a waiting-room for the other.

κιβώτια] 'small boxes', Arist. *Plut.* 711. The number of the first set of κιβώτια is 100, 10 for each tribe, because the dicasts in each tribe are distributed over all the ten divisions into which all the dicasts are divided. In each tribe, all the tickets (πινάκια) bearing the names of the dicasts in division A are placed in the first κιβώτιον, those of division B in the second, and so on for all the ten divisions. According to the number of

dicasts required, an equal number of tickets is drawn by lot from each of the 100 κιβώτια. Each ticket so drawn has a court assigned to it by lot; and the tickets are now placed in the second set of 10 κιβώτια, all tickets of dicasts assigned to any given court being placed in the κιβώτιον which bears the letter corresponding to that court. The names of all the dicasts who are selected to serve are thus distributed over the several courts that are to sit on the day in question. The process is described in detail in col. 31.

πινάκια] see note on § 4.

βακτηρία] 'bâtons' serving the dicasts as badges of office. The βακτηρία was marked with the same letter and colour as the court assigned to the dicast, who gave it up on entering the court when he received a σύμβολον (or 'token') instead. This σύμβολον enabled him to claim the τριώβολον. See *infra* col. 31 l. 3—15, and cf. *Dem. de Cor.* 210, (δεῖ) παραλαμβάνειν γ' ἅμα τῇ βακτηρίᾳ καὶ τῷ συμβόλῳ τὸ τῆς πόλεως νομίζειν ἕκαστον ὕμνον, ὅταν τὰ δημόσια εἰσέλτε κρινούντες. Bekk. *Anecd.* p. 185, βακτηρία καὶ σύμβολον: ῥάβδον κατεῖχον οἱ δικάζοντες, καὶ σύμβολον ἐλάμβανον ἀντιδίδοντες διὰ τὸ κομισσασθαι τὸ τριώβολον. Pollux, viii 16, σκευὴ δὲ δικαστικά, σύμβολον, βακτηρία, <πινάκιον>, πινάκιον τιμητικόν.

βάλανοι] either actual acorns or (more probably) ballot balls of metal shaped like them. In either case the βάλανοι had the letter of the court scratched upon it.

πληρωθῆσθαι] to be made up to their full complement of δικασταί. *Dem. c. Timocr.* 92, δικαστήρια πληροῦτε. *Mid.* 209; *Lys.* 26 § 6; *Isae.* 6 § 37; CIA ii 395 (of the θεσμοθέται) ὅταν πρώτων πληρωσιν δικαστήριον εἰς ἓνα καὶ πεντακσίου δικαστάς. Cf. Meier and Sch. p. 156, note 18 Lips.

γονόσιν, ὅσοι αὐτῶν [μ]ὴ ὀφείλουσιν τῷ δημοσίῳ ἢ ἄτιμοι εἰσιν·
ἐὰν δέ τις δικάζῃ οἷς μὴ ἔξεστιν, ἐνδείκνυται καὶ [εἰς] τὸ δικαστή-
ριον εἰσάγετ[αι], ἐὰν δ' ἄλφ, προστιμ[ῶσιν αὐτῷ] ὅ οἱ δικασταί, ὅ
τι ἂν δοκῇ ἄξιος εἶναι παθεῖν] ἢ ἀποτεῖσαι. ἐὰν δὲ ἀργυρίου 15
τιμηθῇ, δεῖ αὐτὸν δεδέ[σθαι], ἕως ἂν ἐκτείσῃ τό τε πρότερον ὀφλη-
μ[α ἐ]φ' ὃ ἐνεδείχθη, καὶ ὅ τι ἂν αὐτῷ προστιμῇ τ[ὸ δικ]αστή-
4 ριον. ἔχει δ' ἕκαστος δικαστῆς πινάκιον πύξινον, ἐπιγεγραμμένον

18 OIC: ὃ Richards (H-L). ΚΑΙ—ΕΙΣΑΓΕΤΑΙ K-W, K², B: κατὰ τὸ δικαστή-
ριον εἰσαγγεῖλα K¹ (εἰσαγγεῖλα Fraenkel, H-L). 15, 16 ΑΠΟΤΙΣΑΙ—ΕΚΤΙΣΗ.
18 ἕκαστος <δ> B.

§ 4 Hesych. χαλκὸν πινάκιον: 'Ἀθηναῖοι εἶχον ἕκαστος πινάκιον πύξινον ἐπι-
γεγραμμένον τὸ δῶμα τὸ (τοῦ cod.) αὐτοῦ καὶ τοῦ δήμου πατρώθεν. Schol. Arist. *Plut.*
277. Photius πινάκιον· σύμβολον δικαστικόν, χαλκοῦν ἢ πύξινον.

§ 3. τριάκοντα ἔτη] Pollux viii 122,
ἐδίκασον οἱ ὑπὲρ τριάκοντα ἔτη ἐκ τῶν ἐπι-
τίμων καὶ μὴ ὀφειλόντων τῷ δημοσίῳ. Cf.
Dem. c. *Timocr.* 123 and Law *ib.* 50.

The text lends no support to the
opinion that the number of dicasts was
limited to 6,000 annually appointed by
lot from the general body of duly qualified
citizens. On the contrary, it favours
Fränkel's view that all duly qualified
Athenians might be enrolled on the list
of dicasts. At Ardetton, near the Pana-
thenaic stadium, δημοσίᾳ πάντες ὄμνον
'Ἀθηναῖοι τὸν ὄρκον τὸν ἐκκλησιαστικόν
(Harp. s.v. 'Ἀρδηττός). Fränkel, *Att.*
Geschworenenenger., esp. pp. 14—20. The
number 6,000, however, occurs in c. 24,
13 with reference to the previous century.
ἐνδείκνυται] ἐνδείξις was primarily put
in force against debtors to the state
(Dem. *Androt.* 33, *Nicostr.* 14). In Dem.
c. *Mid.* 182 Pyrrhus is prosecuted by ἐν-
δείξις for acting as dicast. Cf. *Dict. Ant.*
i 734 b.

προστιμῶσιν οἱ δικασταί] In cases
where a person illegally acted as dicast,
it was left to the court to impose the
penalty, Dem. c. *Mid.* l.c.; similarly in
the event of a disqualified person speak-
ing in the ἐκκλησία ([Dem.] *Aristog.* i
§ 92).

§ 4. πινάκιον] All the extant πινάκια
are of bronze; those of boxwood, men-
tioned in the text, having presumably
perished. The specimens from the British
Museum are given in Hicks, *Hist. Inscr.*
p. 202. Out of the 65 collected in CIA
ii 875—940, seventeen are mere fragments:
the remaining 48 exhibit in the upper
left-hand corner one of the first ten let-
ters of the Greek alphabet:—A(4), B(6),
Γ(5), Δ(9), Ε(8), Ζ(4), Η(2), Θ(6), Ι(3),

K(1). Two of them (914—5) were found
in the same tomb, both bearing the same
letter and the same name (with a slight
difference in spelling). Cf. 917—8. Appa-
rently each dicast remained permanently
in the division first assigned him; so that
the annual κλήρωσις δικαστῶν only affected
those citizens who on reaching the age of
30 were assigned to a particular division for
the first time. The πινάκια are discussed
by Dumont, *Rev. Arch.* 1868, p. 140;
C. Curtius, *Rhein. Mus.* 1876, 281; Klein,
Jahrb. des Vereins von Alterthumsfreun-
den in Rheinland, 1876, p. 57—; P.
Girard in *Bull. Corr. Hell.* 1878, p. 523
—; Fränkel, *Att. Geschworenenenger.* pp.
94, 95, 105; Meier and Schömann, pp.
151—2, Lips.; and Caillemer in Daren-
berg and Saglio, iii 189 f. The πινάκιον
reproduced (as fig. 1) at the head of the
frontispiece bears the name of Διονύσιος
Διονυσίου ἐκ Κο[λ]λ[η]ς; in the upper left-
hand corner is the letter of the division,
Α; below this, an owl between Α and Θ,
being part of ΑΘΗ, for 'Ἀθηναῖον; towards
the right are two owls between Α and Α,
and to the right of this is a gorgon's head
(CIA ii 876).

The use of the πινάκιον in drawing lots
for certain public offices is mentioned in
Dem. 39 (*adv. Boeotum de nomine*) § 12,
τί δέ, ἂν ἀρα... ἄτερος ἡμῶν πείσας τὸν ἕτε-
ρον, ἐὰν λάχῃ, παραδοῦναι αὐτῷ τὴν ἀρχήν,
οὕτω κληροῦται; τὸ δυὸν πινάκιον τὸν ἕνα
κληροῦσθαι τί ἄλλο ἐστίν; That this πι-
νάκιον was of bronze is proved by § 10,
ἂν δ' ἀρχὴν ἡγενοῦντο ἢ πόλεις κληροί, οὖον
βουλῆς ἢ θεσμοθέτου ἢ τῶν ἄλλων, τῷ δήλῳ
ὁ λαχὼν ἐσται; πλὴν εἰ σημείον, ὥσπερ
ἄλλῳ τυπὶ, τῷ χαλκῷ προσέσται. The
πινάκιον is sometimes called the γράμμα
Arist. *Plut.* 277, ἐν τῇ σοφῇ νυπὶ λαχὼν τὸ

τὸ ὄνομα τὸ ἑαυτοῦ πατρόθεν καὶ τοῦ δήμου, καὶ γράμ[μα] ἐν τῶν
 20 στοιχείων μέχρι τοῦ κ' νενέμνται γὰρ κατὰ φυλὰς δέκα μέρη οἱ
 δικασταί, παραπλ[ησί]ως ἴσοι ἐν ἐκάστῳ τῷ γράμ[μα]τι. ἐπειδὴν 5
 δὲ ὁ θεσμοθέτης ἐπικληρώσῃ τὰ γρ[άμ]ματα, ἃ δεῖ προσπαρatiθε-
 σθαι τοῖς δικαστηρίοις, ἐπέθηκε φέρων ὁ ὑπηρέτης ἐφ' ἑκαστ[ον]
 τὸ δικ[αστήριον] τὸ γράμμα τὸ λαχόν.

19 ΕΑΥΤΟΥ: τ' αὐτοῦ H-L.
 κ¹ (K-W, H-L).

22 ΠΡΟΣΠ(ΑΡ)ΤΙΘΕΣΘΑΙ Blass (K²): —ΓΙΝΕΣΘΑΙ
 23 ἑκαστον τὸ B.

γράμμα σου δικάζειν, σὺ δ' οὐ βαδίζεις, ὁ δὲ
 Χάρων τὸ σύμβολον δίδωσιν. *Id.* 1166, γράμμα is synonymous with the section of dicasts indicated by a particular letter: οὐκ ἐπὶ δὲ πάντες οἱ δικάζοντες θαμὰ σπεύδουσιν ἐν πολλοῖς γεγράφθαι γράμμασιν (Meier and Schönm. p. 150, note 9 Lips.). ἐπιγεγραμμένον—δήμου] Cf. *Plat. Leg.* 753 C (in the scheme for the election of magistrates), εἰς πινάκιον γράψαντα τοῦτομα πατρόθεν καὶ φυλῆς καὶ δήμου ὁπόθεν ἂν δημοτεύηται.

νενέμνται γὰρ κατὰ φυλὰς δέκα μέρη] i.e. are divided into ten sections distributed over the tribes. The ten μέρη did not coincide with the ten tribes, but each μέρος had a nearly equal number of dicasts from all the tribes. The extant πινάκια prove that members of different tribes belonged to the same section (Benn-dorf, *Götting. gel. Anz.* 1870, p. 276—). ἐκάστῳ τῷ γράμματι] A, B, Γ, &c to K.

§ 5. θεσμοθέτης] Pollux viii 88, (ὁ θεσμοθέται) ταῖς ἀρχαῖς ἐπικληροῦσι τὰ δικαστήρια τὰ ἴδια καὶ τὰ δημόσια. CIA ii 567 b (inscr. in honour of a θεσμοθέτης), ἐπιμελεῖται—τῆς κληρώσεως τῶν δικαστηρίων, *ib.* 809, 206 (B.C. 325/4), τοὺς θεσμοθέτας παραπληροῦσαι δικαστήρια εἰς ἕνα καὶ διακοσίους. The θεσμοθέτης draws lots assigning the letters (A, M, N, P, &c)

to the several courts. The letter thus allotted was placed over the entrance of the court. Hence γράμμα is synonymous with δικαστήριον in Arist. *Eccl.* 683—, κληρώσω πάντας, ὥς ἂν εἰδῶς ὁ λαχὼν ἀπὲρ χαίρων ἐν ὁποίῳ γράμματι δεικνύει. In the next three lines the letters B, Θ and K can only refer to the ten heliastic divisions (A to K) severally marked on the dicast's πινάκιον. In line 688 we have another sense of γράμμα: δῶν δὲ τὸ γράμμα μὴ ἔελκυσθῇ κτλ. Here (as in *Plut.* 277) γράμμα is synonymous with the πινάκιον, which has the letter of the heliastic division stamped upon it.

Even the original allotment of the citizens to the several heliastic divisions was under the superintendence of the θεσμοθέται (cf. 59 § 7). This would involve the use of a set of balloting balls or counters marked with a letter indicating the several divisions (A, B, Γ, Δ, Ε, to K). It is probably specimens of these that have survived in two bronze counters having on the one side four owls arranged diagonally and encircled with the word θεσμοθέτων, and on the other the letter A or E (Fränkel in Sallet's *Zeitschrift f. Numismatik*, iii p. 383 f, and Caillemer in Daremberg and Saglio, iii 191). See figs. 2 and 3 in frontispiece.

FRAGMENTA

ex papyri paginis ultimis.

[Col. 31.] τὰ δὲ [κιβώτια *ταῖς φυλ]αῖς [κατατίθενται*
 πρόσθεν [*τῶν ἀρχόντων* κ]αθ' ἐκάστην τῇ[ν φυ-
 λήν. ἐπ[ι]γέ[γραπται δ'] ἐπ' αὐτῶν τὰ στο[ι]-
 χεῖα μέχρι τ[οῦ κ. ἐπ]ειδὼν δ' ἐμβάλωσιν [τω-
 ν δικαστ[ῶ]ν τ[ὰ πινάκ]ια εἰς τὸ κιβώτι[ον,
 ἐφ' οὗ ἂν ᾗ ἐπ[ι]γεγραμμένον τὸ γράμ[μα
 τὸ αὐτὸ σπ[ε]ρ ἐπὶ τῷ π[ι]νακίῳ ἐστίν, ἀ[πὸ
 τῶν στοιχείω[ν δια]σείσαντος τοῦ ὑ[π]η-
 ρέτου ἔλκει ὁ [θεσμο]θέτης ἐξ ἐκάστου
 τοῦ κιβωτί[ου πινά]κιον ἓν. οὗτος δὲ

5

10

Fragmentorum in lacunis supplendis post editorem primum multum praestiterunt H-L et Haussoullier (*Revue de Philologie*, xv, 2); etiam plura contulerunt K-W et B, quem in rebus dubiis plerumque secutus sum; ipse nonnulla olim tentavi, quaedam nunc primum protuli.

Pag. 31, 1 (= pag. 32 K-W; sed non satis causae apparet, cur paginam unam pluresve intercidisse censeamus). Paginae huius partem sinistram et dextram, ectypi in editione prima ordine inverso separatim expressam, coniunxit K. τὰ δὲ [κιβώτια K-W. in medio fere versu ἄλλοι H-L; ἀλλὰ K-W, B: αἰς? [ταῖς φυλ]αῖς [κατα-
 τίθενται] πρόσθεν [τῶν ἀρχόντων] scripsi, coll. Plat. *Rep.* 618 A (animarum de sortitione) τὰ τῶν βίων παραδείγματα εἰς τὸ πρόσθεν σφῶν θείναι ἐπὶ τὴν γῆν, et pag. 31, 35. 2 πρόσθεν (sic) Hauss., K², B, litteris seu obscure scriptis. 8 ἐπιγεγράφται K-W, Hauss., K²; ἐπιγεγραμμένος K¹, -α H-L. 4 τοῦ κ supplavi coll. 63, 20;

ΔΕΜ

idem suppleverunt ceteri.

δικαστ[ῶ]ν H-L, K², αἱ δικαστ[αῖ]ς B.
 supplevi cum K-W (?), H-L, K², B.

ΒΛΑΒΩCIN. [τῶν][[τι]] δικαστ[ῶ]ν K-W, [τῶ]ν
 6 ἐπι[γεγραμμένον] Hauss. (edd.). 7 ἀ[πὸ]
 8 διασείσαντος K-W (Hauss., H-L, B).

col. 31, 1—7. τὰ δὲ κιβώτια] These are the 100 boxes arranged in sets of ten; the boxes in each set being distinguished by the first ten letters of the alphabet; the first box contains all the tickets of the first heliastic division, the second those of the second, and so on. Each box is shaken in turn by the attendant, and the presiding official, the θεσμοθέτης, draws one ticket out of each box.

2. τῶν ἀρχόντων] the ten officials mentioned in c. 63, *init.*

7. ἀπὸ τῶν στοιχείων, ex ordine litte-

rarum (Blass).

8. διασείσαντος] Cf. the Homeric κλή-
 ρους πάλλειν, *Il.* 7, 171—189; 15, 191;
 23, 353—4, 861; 24, 400; *Od.* 10, 206.

9. ἄλλα] 'Εφ. 'Αρχ. 1888, p. 114, v.
 35, ὁ βασιλεὺς ἐλέγγω τὸν κ[αττίτε]ρ[ο]ν
 ἐκάτε[ρο]ν ἐμ[ὲ] μέρει. Cf. Eustath. p. 675,
 53, ('Ερμού κλήρος) ἦν ὁ ρηθεὶς κλήρος
 φύλλον ελαιᾶς δ κατὰ τιμὴν τοῦ θεοῦ εἰώ-
 θεσαν ἐμβάλλειν καὶ πρῶτον ἀνέλκειν,
 also Photius s.v. 'Ερμού κλήρος (Wyse,
Class. Rev. v 335 a).

καλεῖ[τ]αι ἐμ[πήκτης], καὶ ἐμπήγνυσι
 τὰ πινάκια [τὰ ἐκ τοῦ] κιβωτίου εἰς τὴν
 κανονίδα, [ἐφ' ἧς τὸ α]ὐτὸ γράμμα ἔπεστιν
 ὅπερ ἐπὶ τοῦ [κιβωτίου. κληροῦται δ'] οὗτος, ἵνα μὴ αἰ
 15 ὁ αὐτὸς ἐμπ[ηγνύων] κακουργῇ. εἰσὶ δὲ
 κανονίδες [δέκα ἐ]ν ἐκάστῳ τῶν κλη-
 ρωτηρίων. [ἐπειδὴ δ'] ἐμβάλη τοὺς κύβους ὁ ἄρχων, τὴν
 φυλὴν κα[λεῖ εἰς τὸ κ]ληρωτήριον. εἰσὶ
 δὲ κύβοι [ξύλινοι, μέ]λανες καὶ λευκοί
 20 ὅσους δ' ἂν δέ[η λαχεῖν] δικαστάς, τοσοῦ-
 τοι ἐμβάλλον[ται λευ]κοί, <οἶον> κατὰ πέντε
 πινάκια εἰς, οἱ δ[ὲ μέλ]ανες τὸν αὐτὸν τρό-
 πον. ἐπειδὴ δ' ἐ[ξαιρῇ] τοὺς κύβους, καλεῖ

11 EN.....C et ENTPHΓNYCΙ: ἐμπήκτης K-W, B; ἐμπ. H-L, K². 13 ἐφ' ἧς scripsi cum H-L, Hauss. (K², B); ἐφ' ἧ K-W. 14 κιβωτίου scripsi cum Hauss., K-W, H-L, K². κληροῦται δ' propter sententiam addiderunt K-W, vocis ante lacunam superscriptae vestigia agnovit K. 15 ἐμπ[ηγνύων] K-W, B. 17 ὅταν δὲ H-L. 17, 21, 29 ENB (K-W, B). 19 χα[λκοί] K² litterarum vestigia valde obscura secutus, [ξύλινοι K-W (B), color talorum albus et ater cum ligno magis quam metallo congruit; [πολλοί H-L, [λίθοι Hauss. 20 λαχεῖν H-L (B), ἐκάστοτε K (Hauss.), εἶναι K-W. 21 <οἶον> κατὰ πέντε B. 23 ἐξαιρῇ B; ἐξέλη Hauss., K-W, K²; an ἐξέλεγε? Wyse, coll. Arist. *Essl.* 688 ὅταν δὲ τὸ γράμμα μὴ 'ἐλεκυσθῇ καθ' ὃ δεκτῆσθαι: ἐμβάλη H-L.

TESTIMONIA. Pag. 31, 11 Hesych. ἐμπήκτης: ὃ τὰ δικαστικά γραμματίδια (γράμματα διὰ cod., corr. Musurus) παρὰ τοῦ θεσμοθέτου (θεσμοφόρου cod., corr. K-W) λαμβάνων ὑπηρέτης καὶ πῶσων εἰς τὴν κανονίδα (κανονίδα cod., corr. Iunius). 'errat grammaticus: nam decem sunt e tribulibus ἐμπήκται' K-W. Bekk. *An.* 258 ἐμπήκτης ὁ θεσμοθέτης.

23 'hinc nati errores in scholio Iunt. ad Ar. *Plut.* 277 p. 339 b 47 (Dübner)' K-W:—(44) ἔθος οὖν ἀπὸ (45) πασῶν τῶν φυλῶν δικαστὰς καθίζειν· εἶτα ἀπὸ (46) μᾶς ἐκάστης ἐλάμβανον ἄνδρας πέντε τοὺς ἐπισημοτέρους· (47) καὶ πάλιν ἐκ τῶν πέντε ἕνα τὸν κλήρω λαχόντα ἐποιοῦν δικάζειν.

11. ἐμπήκτης] This designation is here applied, not to the θεσμοθέτης (as supposed by Hesych. and Bekk. *An.*), nor to the ὑπηρέτης. There is a separate ἐμπήκτης taken by lot from each heliastic division.

13. κανονίδα] probably a wooden frame fitted with a number of 'straight rules' or parallel ledges (κανόνες), stretching horizontally across it. We may suppose that the upper surface of each of these ledges was grooved and that each πινάκιον, as it was drawn, was inserted with its lower edge in the groove. In each κληρωτήριον, or balloting chamber, there were ten of these frames, one for each of the heliastic divisions.

14. κληροῦται] not mid. but pass., 'is

chosen by lot.' The object of this, as we are told, is to prevent the jobbery that might arise, if the ἐμπήκτης were always the same and were therefore known beforehand.

19. κύβοι] wooden dice (or lots) of two colours, black and white, but differing from ordinary dice by not being marked with any pips. One out of every five lots was white, the rest black. The number of white lots is equal to the number of dicasts required. The archon draws the lots in succession; if the first lot is white, the bearer of the name on the first πινάκιον is considered to have drawn the lot to serve as dicast, and so on; the names of these dicasts are then called out.

τοὺς εἰληχότας ὁ [ἄρχων]. ὑπάρχει δὲ καὶ ὁ ἐμ-
 πήκτης εἰς [ὦ]ν [αὐτῶ]ν. ὁ δὲ κληθεὶς καὶ 25
 εἰλη[χ]ὼς ἐλ[κ]ει [βάλανο]ν ἐκ τῆς ὑδρίας,
 καὶ *[π]ρο[δε]ίξας αὐτῇ[ν] *ἀνέχ[ω]ν τὸ γράμμα, δ[ε]ί-
 κνυσιν προ[οσελθὼν] τῷ ἄρχοντι τῷ ἐ[φ]εσ-
 τηκότι. ὁ δὲ [ἄρχων ἐπειδὰ]ν ἴδῃ, ἐμβάλλει τὸ 30
 ἂν ἢ ἐπιγεγραμ[μέν]ον τὸ αὐτὸ στοιχεῖ-
 ον ὅπερ ἐν τῇ βαλ[άνω], ἵν' εἰς οἶον ἂν λάχῃ
 εἰσὶν καὶ μὴ εἰς οἶον] ἂν βούληται, μηδ' ἐ[ν]-
 ἡ συνάγειν [εἰς] δικαστήριον οὗς ἂν
 βούληται τις. π[αρά]κει]ται δὲ τῷ ἄρχοντι κι- 35
 βώτια, ὅσ' ἂν αἰ [μ]έλλῃ τὰ δικαστήρι[α]
 πληρωθῆσθαι, [ἔχ]ο]ντα στοιχεῖον ἔ-
 καστον, ὅπερ δ[ὲ]ν ἢ] τοῦ δικαστηρίου ἐκάσ-
 [Col. 32.] του] εἰχ — — — — —
 ὕ]πηρέτῃ εἰ — — — — — ΝΩ

24 ἄρχων K-W, K³, B; ὑπηρέτης K¹, H-L, Hauss., adversante spatio. 25 εἰς
 [ὦ]ν [αὐτῶ]ν B; εἰς αὐτῶν vel εἰς αὐτῶν ἀκλήρωτος desideraverat Paton; εἰς τὸν [τόπο]ν K.
 26 [εἰλη]χ[ὼς] B; non χ sed δε legebat K; παρεστὼς fortasse scribendum; omnia in-
 certa putant K-W. ἔλκει dubitanter agnoscit K. 27 καὶ .ρο.ξας K³, καίτρο .. ξαC
 K-W; fortasse προδείξας scribendum.ων edd.; ἀνέχων supplevi. 28 πρῶτον
 μέν] K, H-L; πρῶτ[ι] (προτεινὰς?) K-W; προ[οσελθὼν] B. 29 τοῦτο ἐπειδὰν Hauss.,
 H-L. ENB (K-W, B). 30 ὅθεν H-L. 31 restituerunt Hauss., K-W,
 K³, B. ΑΓΟΥΓΣΤΟΙΧΕΙΟΝ: αὐτὸ στοιχεῖον Richards et Herwerden (edd.). 32 ἵν'
 Hauss. (K-W, K³). 33 εἰσεῖν. [ὁ]λο]ν ἂν K-W (K³, B). ΒΑΛΗΤΑΙ (suprascr.
 οὐληται). post μηδὲ aliquid scriptum fuisse videtur; μηδὲ [ἐν]ῇ K, μηδ' ἐ[ν]ῇ malui;
 μηδὲ ἐξ[ῇ] Hauss. μηδὲ[ῇ] B. 34 σὺναγαγεῖν (supra scr. γαγ); συναγαγεῖν K¹, B;
 συναγειν K-W, K³. εἰς H-L, B; εἰς τὸ Hauss., K-W, K³. 36 δὲ Herwerden,
 Hauss., (edd.); ὅσαπερ expectabant K-W. 37 ΝΤΑΓΣΤΟΙΧΕΙΟΝ.

Pag. 32. Etiam haec pagina in partes duas sinistram et dextram discerpta; in medio
 litterae complures exciderunt. 1 εἰχ .. πλ. γ (supra scr. ε) K-W. 2 ὦC .. ΝΩ
 K-W.

26. βάλανο κτλ.] The dicasts having
 now been determined, it has still to be
 settled in which court each is to sit; each
 of them, when called, draws out of the
 urn a ballot marked with a letter de-
 noting one of the courts and shews it to
 the presiding official, who now puts the
 ticket of the dicast concerned into the
 box marked with the same letter as
 the ballot which the dicast has drawn.
 The number of these boxes is as many
 as the number of courts that are to sit

on the day in question. This ensures the
 dicast's taking his seat in the court he
 has actually drawn, and makes it im-
 possible for him to choose his own court
 or to arrange to sit in the same court
 with certain others who are drawn as
 dicasts.

26. ὅσ' ἂν—πληρωθῆσθαι] See note
 on c. 63, 11. These passages shew that
 (as in Ar.) the future, as well as the
 present, is found after μέλλειν in the 'Αθ.
 πολ.

. ως ὁ δὲ ὑπηρέτης δίδωσιν αὐτῷ βακτηρίαν
 ὁμόχρων τῷ [δικαστηρίῳ ἐφ' οὗ τὸ αὐτὸ] γράμμα
 5 ὅπερ ἐν τῇ βαλάνῳ, ἵνα ἀναγκαῖον ᾖ αὐτῷ
 εἰσελθεῖν εἰς [τὸ] ἑαυτοῦ δικαστήριον· ἐὰν γὰρ
 εἰς ἕτερον εἰσέλῃ, ἐξελέγχεται ὑπὸ τοῦ χρώμα-
 τος τῆς βακτηρίας. [τοῖς γὰρ δικαστηρίοις χρώ-
 μ]α[τ]α ἐπιγέγραπται *πᾶσιν ἐπὶ τῷ σφη-
 10 κίσκῳ τῆς εἰσόδου. [ὁ δὲ λαβὼν τὴν] βακτηρί-
 αν βαδίζει εἰς [τὸ] δικαστήριον τὸ ὁμόχρων
 μὲν τῇ βακτηρίᾳ, ἔχον δὲ τὸ αὐτὸ γράμμα
 [ὅπερ] ἐν τῇ βαλάνῳ. ἐπειδὴν δ' εἰσέλθῃ, παραλαμ-
 βάνει σύμβολον δη[μοσί]α παρὰ τοῦ εἰλη-

3 OC K, K-W (?), H-L. 3—7 restituerunt K-W, coll. Bekk. An. 220. 4 [τῷ
 ἔχοντι] τὸ αὐτὸ γράμμα K-W; [ἐφ' οὗ τὸ αὐτὸ γράμμα] B suadente spatio. 5 ᾖ:
 ἔν κ. 6 αὐτοῦ K-W, ἑαυτοῦ B. 8 "rectissime Hemsterhusius pro
 χρώμα rescribi vult γράμμα, id quod vel adiunctum verbum postulat. Quis enim,
 inquit, Graece sciens dicat ἐπιγράφειν χρώμα?" Schömann, *Opusc. Acad.* i 208.
 9 μ]α[τ]α: (χρώματα K); χρώμα K-W (B) e schol. Ar. ἐκάστω propter spatium K-W
 (B): ἐφ' ἐκάστω K e schol. Ar.; propter hiatum scripsi πᾶσιν. 14 CYNΒΟΛΟΝ
 K-W, B.

Page. 32, 3—15 Bekk. An. 220 βακτηρία: ὁμόχρωμοι τοῖς δικαστήρις ἐδίδοτο βακτη-
 ρίαι, ἵνα ὁ λαβὼν οὐδὲν χρώματος βακτηρίαν εἰς τὸ ὁμόχρωνον εἰσέλθῃ δικαστήριον καὶ μὴ
 εἰς ἕτερον πλανᾷ διὰ τὸ πολλὰ εἶναι τὰ δικαστήρια.

Suidas ('e lexico Photiano') βακτηρία καὶ σύμβολον. οἱ λαχόντες δικάζειν ἐλάμβανον
 παρὰ τῶν δημοσίων ὑπηρετῶν σύμβολον καὶ βακτηρίαν καὶ οὕτως ἐδίκασον. τὴν χρῶαν δὲ
 ὁμοίαν εἶχε τῇ βακτηρίᾳ τὸ δικαστήριον. τὸ μέντοι σύμβολον μετὰ τὴν κρίσιν ἀποδιδόντες
 ἐκομίζοντο τριῶβολον ὅπερ καὶ δικαστικὸν γέγονεν. Cf. Bekk. An. 185, 4: ῥάβδον
 κατέχον οἱ δικάζοντες, καὶ σύμβολον ἐλάμβανον ἀντιδιδόντες διὰ τὸ κομίσασθαι τὸ τριῶ-
 βολον. Lex. Dem. Patm. p. 144. Schol. Arist. *Vesp.* 1110 ἐδιδόντο δὲ καὶ βακτηρία
 τοῖς δικασταῖς ὁμόχροι τοῖς δικαστηρίοις, ὅπου ἕκαστος εἰσελθὼν δικάζειν εἶδει, ἵνα τὸν
 διαμαρτάνοντα ἀπελέγῃ τὸ χρώμα. Pollux viii 16.

Page. 32, 8—15 *Schol. Arist. *Plut.* 278 (om. cod. Ravennas et cod. Venetus) περὶ
 τοῦ παραδιδόμενου τοῖς εἰσιούσιν εἰς τὸ δικαστήριον συμβόλου 'Αρ. ἐν τῇ 'Αθ. πολ. οὕτω

col. 32, 3. ὁ δὲ ὑπηρέτης] The attend-
 ant gives the dicast a small staff of the
 same colour as that assigned to the court
 in which he is to sit. The colour on the
 staff is thus substituted for the letter on
 the ballot, as it is obviously easier for the
 doorkeeper to see that each dicast, as he
 files in, has a staff of the right colour
 than one marked with the right letter.

[βακτηρίαν] Dem. *de Cor.* § 210 quoted
 on c. 63 § 2.

4. ὁμόχρων] Each of the courts is
 marked outside with the colour corre-
 sponding to that on the several staves.
 We read in Paus. i 28 of two courts that
 derived their name from their colour:
 τὸν (τὸ Schöm.) μὲν οὖν καλούμενον Παρα-
 βύστιον καὶ Τρίγωνον, τὸ μὲν ἐν ἀφανεί

πύλῳ δὲν, —τὸ δὲ ἀπὸ τοῦ σχήματος ἔχει
 τὸ δρομα· Βατραχίου δὲ καὶ Φοινι-
 κίου ἀπὸ χρωμάτων. Cf. Schömann,
Opusc. Acad. i 226.

9. σφηκίσκῳ] 'the lintel,' *supercilium
 januae*, Steph. *Thesaurus*, vii 1606 Paris.
 Cf. CIA iv 3, 225 c, p. 168, σφηκίσκοι ἀπὸ
 τῆς στοᾶς καθήρημένοι (at Eleusis).

14. σύμβολον] Dem. *de Cor.* quoted
 on c. 63 § 2 βακτηρία, and Arist. *Plut.* 279
 quoted *ib.* § 4 πινάκιον. Cf. Etym. Mag.
 s. v. δ ἐλάμβανον οἱ δικασταὶ εἰς τὸ δι-
 καστήριον εἰσίωντες· εἶτα τοῦτο δόντες, τὸ
 δικαστικὸν ἐκομίζοντο.

It has been proposed to identify with
 these σύμβολα certain leaden counters
 stamped on the one side with a design
 resembling that used for the reverse of a

χό]τος ταύτην τὴν ἀρχήν, *κα]τὰ [τ]ὴν τά[ξιν ἀπο-
δοῦ]ς* τὴν βακτηρίαν τῆς [*τὸν

15

α]ὐ[τὸν] τρόπον τεστοιδ . . . ω —
λα]γ[χ]άνουσ[ι] δι οἰκεῖαπεργκρ —
τὰ] πινάκια. οἱ δὲ ὑπηρέται ρί δημοσία [*ὑπὲρ
τῆ]ς φυλῆς ἐκάστης π[αραδι]δόασιν τὰ κ[ι-
βά]τια, ἐν ἐπὶ τὸ δικα[στήρ]ιον ἑκαστον, ἐν
οἷς] ἐστὶν τὰ α . . [τῆ]ς φυλῆς τὰ ὄντ[α
ἐν] ἐκάστῳ τ[ῶν δι]κα[στηρί]ων. παραδιδόα[σι
δὲ τοῖς] εἰληχ[όσιν ἀποδι]δόναι τοῖς δι[κασ-

20

15 versus in fine ἐπειτα [τ]ὴν τε — B; . . τα. ην τα... K²; scripsi [κα]τὰ [τ]ὴν τά[ξιν ἀποδοῦ]ς coll. 37, 1—4. 16 post lacunam ρα... τῆς K²; ραταγτῆς K-W.

τὸν supplevi. 17 versus in initio τὸν] αὐ[τὸν] τρόπον . . . ιπε K-W. 18 τοῖα

K². Post lacunam οἰκ... περ. K. K; οἰκπεπερ K-W. 19 πινάκια agn. K-W (K²). αὐ δὲ ὑπηρεταὶ B (K²). ΟΙΔΗΜΟCΙΑ (deleto α et suprascr. ω?) ΔΙ . . B; δημοσίαι K-W. Versus in fine ὑπὲρ scripsi, quod manus tertia per compendium ὁ indicat, cf. p. 21, 24, p. 23, 22. 20 π[αραδι]δόασιν B; ἀ[ποδι]δόασιν K-W, K²; scriptura incerta. 20—21 τὰ κιβάτια B (K²): τα[ῖς]... K¹, K-W. 21 ἐν ἐπὶ τὸ K-W (K², B). 21—23 ὁπ[ότ]ε[ρ] α] ἐστὶν K-W. 23 ἂν τὰ [πιν]ά[κια]? τὰ ὄντ[α] K-W (K², B). 23 restituerunt K-W (K², B). 24 π[αρα]διδόναι K-W (K²); ἀποδιδόναι B.

γράφει "τοῖς γὰρ—ἀρχήν" (8—15). Frag. 490², 460². Cf. Schol. Iunt. ad v. 277, p. 340 α 40 τοῖς λαχοῦσι δικάσαι εἰσελθοῦσιν ἐκάστῳ σύμβολον δίδοται δημόσιον παρὰ τῆς ἐπὶ ταύτῃ εἰληχίας ἀρχῆς, ὧ' οἱ ἐξίοντες καὶ τοῦτο προσφέροντες λαμβάνουσιν τὸν δικαστικὸν μισθόν, ὃ 4 ἐδίδου δὲ ὁ κήρυξ αὐτοῖς βάβδον, ἥτις ἦν σύμβολον τοῦ δικάζου, ἵνα ἕκαστος καθ' ἐσπέραν ἀποδοῖεν τῷ πρυτάνει τὴν βάβδον τριώβολον λαμβάνη μισθόν τῆς δικάσεως.

τριώβολον, and on the other with one of the first ten letters of the alphabet (Benn-dorf, *Zeitsch. f. d. Oesterr. Gymn.*, 1873 p. 601). See figs. 4 and 5, frontispiece.

The fact that letters after κ are not found on these counters shews that the letters do not indicate the courts, but the heliastic divisions. If the courts had ten entrances each, these would correspond to the heliastic divisions, and all who left the court by the proper exit would receive counters marked with the letters corresponding to their own division. They would take these to the place where they had had their court allotted to them, and there receive payment in the chamber in which the allotment took place (col. 37 ult.).—In c. 63, 3, if the text is correct, the courts are actually described as having ten entrances, each of them, however, corresponding to one of the tribes, and not to one of the heliastic divisions.

15. τὴν ἀρχήν] The official's title is not given. According to an inscr. of B.C. 341/0 (*Mittheil. d. arch. Inst.* vii 103), the διάδοσις τῶν συμβόλων in the ἐκκλησία

was entrusted to the συλλογῆς τοῦ δήμου (Rose, Frag. ed. p. 299 n). Schömann, *Opusc. Acad.* i 206, suggests either the κωλακρέται or the officials presiding over the trial, inclining to the latter; but it seems more probable that the σύμβολα were distributed by a person of less importance than the presiding officials, perhaps by a 'public slave' (*Att. Proc.* p. 162 Lips.). In the time of Aristophanes it was the κωλακρέται who paid the dicasts their fee of three obols: Schol. *Av.* 1541; *Vesp.* 695; Bekk. *An.* 275, 22; *lex. rhod. Cant.* 672, 15. But there is no proof of the existence of the κωλακρέται after 403 B.C.

16. βακτηρίαν] This line must have stated something about the dicast's delivering up his βακτηρία in exchange for the σύμβολον.

19—24. The tickets belonging to the dicasts in each court have been sorted out into ten boxes; these boxes are taken by the attendants of each 'tribe,' and handed over to the proper officials at the ten entrances of the court, to be re-

25 ταῖς ἐκάστω — Δ — — — [τ]ῷ ἀριθμῷ τ[ῶ]ν
 παρὰ τῷ Δ . . . τούτου γν . . . ς ἀπο[δι-
 δωσι τὸν [μισ]θόν. γ[ί]γνεται δὲ πάντα [ταῦτα
 κατὰ δικαστήρια τρ εντω — —
 δικαστήριον [ῆ] δ[ι]κασ[τή]ρια καὶ — — — ων
 30 εἴ[π]ειτ' ἐπὶ τὰ — — — — — κ
 καὶ ἕτεροι κύ[βο]ι ἐν οἷς] τῶν ἀρχ[χ]ῶν τι
 τωξ — — — — — το . . τῶν [θεσμο-
 θετῶν — — — — — ογς τοὺς κύ[βους
 βάλλουσιν ὁ πεντ πο — — [δικασ-
 35 τήριον. ὁ δὲ τῶν ἀρχ[όν]των — —
 . . . δα τη Δ ἀρχῶν ξ —
 — — — κηρυ — . — — —

(a) ἀρχων τ — — — — — ρ . . (δ)
 δευτερο . καὶ . — — — — — να . .
 δεμία ἡμέρ[α — — — — — αλ . .
 λ]ιανὰ . εἰεκα — — — — — οδε .
 5 μ]ῆ ὥσει ν — — — — — σιν.
 ὅταν ἡ ἀρχὴ Δ . Δ — — — — — κλη[ρω-
 τηρίῳ ἐκάστω — — — — — κιβ[ω-
 τίου πινάκιον — — — — — εἰς [έ-
 κάστης τῆς φυλῆς — — — — — ια . .
 10 ἕτερον κενόν — — — — — του . .
 τοὺς πρώτους δ — — — — — εἶτο[υ]-
 ὄρω τέτταρας — — — — — ους . .

[Col. 33.]

25 ΕΚΑΣΤΩΙ vel ΕΚΑΣΤΩΝ. 26 παρὰ τῷ Δ . . . τούτου ν . . . ς K²; παρὰ
 τῶν τρ . τρ οὐν . . . (suprascr. C) K-W; versum intactum reliquit B. 27 τῶν
 μισθόν K-W (K², B). post πάντα τ K-W, π K¹. 28 versus in fine N dis-
 pexit K; 29 versus in fine κ (K). 30 κεν εἶτ' ἐπὶ τὰ K; ΕΙΣΙΠΕΤΙΤΑ K-W;
 εἴ[π]ειτ' ἐπὶ τὰ B. ται (καὶ K-W) καὶ K. 31 τῶν ἀρχῶν τι ? K-W;
 τῶν ἀρχῶν τ K. 32 τῷ ε ετα το τῶν [θεσμο]θετῶν K; 36 δαν . .
 τη ν ἀρχῶν K; ἰδα ΘΗΑ ΩΝ ἀρχῶν K-W.

Page. 33. Fragmenta a et δ una collocarunt K-W; in nonnullis certe versibus
 (6, 7, 18) litterae extremae cum subsequentibus congruunt. 3 εμα σι K².
 5 init. ως K². 6 ΤΑΣΠΑΡΑΔΑΜ K-W; ται ἡ ἀρχὴ K. 12 ὄρω τέτταρας
 K-W (K²); [ὄ]ρω τέτταρας B.

turned by them to the dicasts to whom they belong.

26, 27. ἀποδίδωσι τὸν μισθόν] At this point we have mention of the official paying the τριώβολον.

27, 28. γίγνεται—δικαστήρια] Dem. 23 § 63, ταῦτα πάντα ἐπὶ πέντε δικαστηρίοις γίγνεται προστεταγμένα τοῖς νόμοις (Blass).

31. ἕτεροι κύβοι] The purpose of this fresh set of 'dice' or 'lots,' as distinguished from those of col. 31, 19, is not clear. Possibly they were used to distribute the superintendence of the courts among the thesmothetae (or some other officials).

μηδεις παραφν	— — — — —	τον χ.	
ὑδωρ μήτε τον	— — — — —	τω . .	
. . ΗΤΑ ΠΟΡΙΣΑ . .	— — — — —	αμη . .	15
. λαχοντ		τουτ . .	
ἀπολαμβάνου[σι		ακαθο . .	
τον μισθόν		οὐ ἐκ[ασ-	
ται αἱ φυλαὶ [ἐ]λα[χον	— — —	[ἐπει-	
δὰν δικάσωσι	— — — — —	εκα	20
ΔΙΑ . ΔΤΟΝ ΝΟ	— — — — —		
τοῦ τε συνη	— — — — —		
ταῦτα δ' ἐπι	— — — — —		
ὅταν μὲν τα	— — — — —		
τῷ ἀριθμῷ	— — — — —	δ — —	25
. . τοῦ νόμο[υ	— — — — —	σι — —	
εἰς αὐτὸ τὸ π[ρῶγμα	— — —	. νοτι — [βα-	
σιλεὺς	— — — — —	εμ[ι]α —	
CI . εἰσι δ	— — — — —		
κρους τι	— — — — —		30
. . ΤΑΣ	— — — — —		

(sequuntur versus fere sex prorsus evanidi)

Col. 34.] (α) (desunt versus decem)

. . . Η	— — — — —		
. . ΚΥΡ	— — — — —		
— — — — —			
— — — — —			
— — — — —			
(δ)	— — — — —		
. ΟΝΤΙ ΚΑΙΟΠ	— — — — —		15

15 . . ητα . . αρεσ κ, . . ΗΤΑ . ΠΑΡ . ΣΑ (vel ΤΑ) κ-ω.

21 δια τα τον κ²;

ΔΙΑ . Λ . ΔΙΟΠ κ-ω (litteram tertiam et quartam inductam putat B, qui διὰ τὸν νόμον conicit). 22 τοῦτο συν κ; τοῦ τε συνηγούρου ? κ-ω. 23 ΤΑΥΤΑΥΠΟΤΟΥ κ-ω; ταῦτα ὑπὸ κ².

Page 34. Fragmentum a paginae 33 fragmento δ adhaeret. Frustulum δ ex incerta coniectura adiunxit B. 15—23 (B)=p. 78, col. 34 δ 18—25, et p. 79 δ 1—9 (κ-ω): illud non descripsit κ; hoc dedit in p. 199, col. 34, frag. 2 (κ²).

col. 33 α 17—19. Cf. col. 37 ult.

27. εἰς αὐτὸ τὸ πρῶγμα] Dem. 57 *Ευθυμ.* 7, εἰς αὐτὸ τὸ πρῶγμα πάντα λέγειν, and 60, ἐρῶ δ' εἰς αὐτὸ τὸ πρῶγμα. As the archon βασιλεὺς is apparently mentioned in the next line, the present passage refers to the procedure before the Areopagus, in which irrelevant matter was excluded: *Rhet.* i 1, 5, κωλύουσιν ἔξω τοῦ πρῶματος λέγειν, καθάπερ καὶ ἐν Ἀρείῳ

πάγῳ, Lycurg. *Leocr.* 12, 13, μὴ ἐπιτρέπεν τοῖς ἔξω τοῦ πρῶματος λέγουσιν (with Rehdantz, p. 126 and Meier and Schömann, p. 933 Lips.). On the other hand, the mention of ὄδωρ in ll. 12, 14 suggests that the text may refer to the procedure in a γραφή παρανόμων, Aeschin. 3, 197, τὸ δὲ δεύτερον ὄδωρ τῷ τὴν γραφὴν φεύγοντι καὶ τοῖς εἰς αὐτὸ τὸ πρῶγμα λέγουσιν.

(b)

- (a) τῷ δικ|αστηρ[ίῳ — — —
 διαστά|γτες — — — — —
 ε]ίσι . . | μηπ — — — — —
 ἀπλ[ῶ] | ἐνοχ . . — — — — —
 20 . . καλ|οῦσι τῷ — — — — — (c) [ἀναγ-
 κάζωφ|ι τοὺς — — — — — λ-
 ὅταν [τ|ὸ]ν δικ[αστήν — N . N
 — — | . ΝΟΚ — — — — — Υ . . . ΟΝ
 — — — — — — — — — — — ἰδίου
 25 — — — — — — — — — — — ἀγ]ώνων
 — — — — — — — — — — — ΕΝ
 — — — — — — — — — — — δὲ τὰ δημό-
 σια] — — — — — — — — — — — . ΚΑΙΚ —
 — — — — — — — — — — — -άχους [δ]έ
 30 — — — — — — — — — — — COΔEI . TEΔ
 — — — — — — — — — — — ΗCΥΠ . ΟΠΕΡ
 — — — — — — — — — — — ἐπτάχους δέ
 — — — — — — — — — — — ων καὶ δίχους
 — — — — — — — — — — — καὶ δίχο[υ]ς ἐξάχο[υ]
 35 — — — — — — — — — — — ερον λόγ[ο]ς οὐτως
 — — — — — — — — — — — ως ἐπιλαμβάνει

(a) τὸν ἀ[ν]άλισκον, ἐπειδὴν δέη μεταξὺ τῶν λ]όγων (b)
 ἡ μαρ[τυρίας] ἡ νόμους ὑπὸ τοῦ γραμμ]ατέως

[Col. 35]

a 18 ΩCΙΚ K-W.

20 ΔΕΚΑΛ K-W.

21 ΑΖΗΜ K-W.

δ 18 ΜΗΤΕ K-W.

Fragmentum c cohaeret cum p. 35 frag. d. 34, c 20—36 (B)=35, 1—16 (K-W)=34 frag. 4 (K³).

c 23 ΥC...ΩΝ K-W, τοῦτ..δας K³, versus in fine superscripto ΔAC (K, K-W) vel AC (B).

24 ἰδίου K, ἰδιώ[τ]ης K-W.

25 ΩΝΤΩΝ K-W,

ωντ[ω]ν K. 26 Α...ΟΙ K³.

29 'superscriptum ε, legendum igitur χδης' K-W.

30 ὁ δ' εἰς τοῦ K-W; τοῦ pr., TEΔ superscr., inducta illa, B.

31 εἰς υ...περ K³;

ἡς ὑπέρ ? B. 34 ἐξάχους K, K-W.

35 ὅστ]ερον λόγος οὐ ὡς ? K-W.

36 an ΩCIEΠΤΙ ? B.

Pag. 35, 1—37 (B)=36 a+b, p. 80, +fragmentum incertum p. 79 a (K-W)=34 (3)
 +nil+34 (1) (K).

a 1 ΕΝΔ K-W; va K.

1—4 supplevit B.

δ 1 Ν]ΟΜΟΝ

K³ (ap. B). a 2 μαρ[τυρίας] vel μάρ[τυρες] K-W.

col. 34, 32—34. The terms ἐπτάχους, δίχους, ἐξάχους refer to different intervals of time as measured by the κλεψύδρα. The word δίχους is quoted from Posidonius by Athenaeus, Παναθηναϊκά μέγιστα τὰ μὲν δίχουα τὰ δὲ μείλινα (p. 495 A), and ἐξάχους is found in Plutarch (Sol. 23).

36. ἐπιλαμβάνει τὸν ἀνάλισκον] The ἀνάλισκος is the short neck of the κλεψύ-

δρα. The attendant could stop the flow of the water by placing his hand on the top of this. Ar. Frod. 16, 8, p. 914 b 12, μὴ εἰσέναι τὸ ὕδωρ ἐπιληφθέντος τοῦ αἰλοῦ, and b 14 and 27, ἐπιλαβὼν τὸν αὐλόν, p. 866 b 13, (τὸ πνεῦμα) κωλύει ἐξέναι, ὥσπερ τὸ ὕδωρ τὸ ἐκ τῶν κλεψυδρῶν, ὅταν πλήρεις οὕσας ἐπιλάβῃ τις.

ἀναγι<γ>ν[ώσκεισθαι . ἐπειδὴν δὲ ἡ πρὸς] διαμε-
 μετρ[μένην τὴν ἡμέραν ὁ ἀγών, τότε] ἐ δὲ οὐ[κ] ἐ-
 πιλαμβ[άνεται — — — — — ν ὕδωρ 5
 τῷ τε κα[τηγορ- — — — — — — — — — —
 διαμετ[ρ — — — — — — — — — — [Ποσι-
 δεῶνος — — — — — — — — — — [μα-
 κρῶν τῷ[ν — — — — — — — — — —
 . τακτο — — — — — — — — — — αγρα . . 10
 (c) δι[κ]αι — — — — — — — — — — ε[ισ[ι]ν δὲ [ἐ-
 καστοι λ — — — — — — — — — — κατήγ]ορος

6 τῷ τε κατηγόρῳ ? K-W. 8 ε suprascr. Ποσιδεῶνος K-W. In CIA Ποσιδεῶν
 (syllaba secunda brevi) quattuordecim in locis scriptum (Meisterhans, p. 42³).
 9 χρωNT K, K-W.

Pag. 35 a 3 *Harp. διαμετρημένη ἡμέρα: μέτρον τί ἐστὶν ὕδατος πρὸς μεμετρημένων
 ἡμέρας διάστημα ῥέων. ἐμετρεῖτο δὲ τῷ Ποσιδεῶνι (melius Ποσιδεῶνι) μηνί· πρὸς δὲ τοῦτο
 ἡγωνίζοντο οἱ μέγιστοι καὶ περὶ τῶν μεγίστων ἀγῶνες. διενέμετο δὲ τρία μέρη τὸ ὕδωρ,
 τὸ μὲν τῷ διώκοντι, τὸ δὲ τῷ φεύγοντι, τὸ δὲ τρίτον τοῖς δικάζουσι. ταῦτα δὲ σαφέστατα
 αὐτοὶ οἱ ῥήτορες δεδηλώκασιν, ὥσπερ καὶ Αἰσχίνης ἐν τῷ κατὰ Κηφισοφώντος (§ 126).
 'Αρ. δ' ἐν τῇ 'Αθ. πολ. διδάσκει περὶ τούτων... (Frag. 423¹, 463²).

Schol. ad Aeschin. 2 § 126 "πρὸς ἑνδεκα γὰρ ἀμφορέας ἐν διαμετρημένῃ τῇ ἡμέρᾳ
 κρίνομαι": φασὶν ὅτι τὰς ἡμέρας τοῦ Ποσιδεῶνος μηνὸς ἐπιλεξιμένοι (ἐκλεξ. K-W) οἱ
 'Αθηναῖοι ὡς συμμέτρον καὶ δυναμένας κατέχεν ἑνδεκα ἀμφορέας, πρὸς αὐτὰς καὶ ταῖς
 ἄλλαις ἡμέραις (τὰς ἄλλας ἡμέρας cod., corr. Sauppe) ἐσκεύαζον τὴν κλεψύδραν, μεγάλου
 πρᾶγματος δηλονότι ἀγωνιζομένου (γυμναζομένου cod., corr. K-W). ἀπενέμεστο δὲ οἱ
 ἑνδεκα ἀμφορεῖς κατὰ τὸ τρίτον τοῖς ἀντιδίκοις καὶ τοῖς δικασταῖς. Aliud schol. τοῖς περὶ
 τῶν μεγίστων ἀγωνιζομένοις διηρέτο ἡ ἡμέρα καὶ ἰδίδοτο αὐτοῖς ἡμισυ μὲν τῷ κατηγόρῳ,
 ἡμισυ δὲ τῷ ἀπολογουμένῳ, καὶ διεμετρεῖτο τὸ ὕδωρ ὅσον ἑπαρκεῖ εἰς τὰς ὥρας τοῦ ἡμῖνος
 μέρους τῆς ἡμέρας. τοῦτο δὲ ἀπὸ μιᾶς ὥρας. Hesych. διαμετρημένην ἡμέραν· ἐπὶ τῶν
 μεγάλων δικῶν τὴν ἡμέραν ἐμέριζον εἰς διαστήματα.

col. 35, 3, 4. Διαμετρημένην] Dem.
 F. L. p. 378, πρὸς διαμετρημένην τὴν
 ἡμέραν, Aeschin. 2, 126, πρὸς ἑνδεκα γὰρ
 ἀμφορέας ἐν διαμετρημένῃ τῇ ἡμέρᾳ κρί-
 νομαι.

6. τῷ τε κατηγορ-] Aeschin. 3, 197
 (in a γραφή παρανόμων the day was
 divided into three parts), ἐγγεῖται γὰρ τὸ
 μὲν πρῶτον ὕδωρ τῷ κατηγόρῳ καὶ τοῖς
 νόμοις καὶ τῇ δημοκρατίᾳ, τὸ δὲ δεύτερον
 ὕδωρ τῷ τὴν γραφὴν φεύγοντι καὶ τοῖς εἰς
 αὐτὸ τὸ πρᾶγμα λέγουσιν (col. 33 a 27)...
 τὸ τρίτον ὕδωρ ἐγγεῖται τῇ τιμῇ.

7, 8. Ποσιδεῶνος] The use of the κλεψ-
 ὕδρα in courts of justice is mentioned in
 Arist. *Ach.* 602, *Vesp.* 93, 857, and in
 the Orators, Dem. *de Cor.* 139, ἐν τῷ ἐμῷ
 ὕδατι, c. *Leach.* 45, ἐὰν ἐγχεωρῇ τὸ ὕδωρ.
Sterph. i § 8, c. *Conon.* 36 ἐπὶ λαβε τὸ ὕδωρ,
 and (at the end of a speech) *pro Phorm.*
 ἐξέρα τὸ ὕδωρ. The structure of the
 κλεψύδρα is described in Ar. *Probl.* 16, 8.

It was observed that the length of a

short day in one of the winter months was
 equivalent to the time in which eleven
 ἀμφορεῖς successively could be emptied of
 their water. The standard adopted was
 a day in the month of Posideon (Dec.
 —Jan.). To ensure perfect accuracy it
 would be necessary to make allowance
 for the fact that the rate at which the
 water flowed would depend on its tempe-
 rature (cf. Athen. p. 42; Plut. *Quaest. Nat.*
 c. 7). I learn from Mr J. Larmor that,
 when the level of the water in a water-
 clock is maintained constant, the rate at
 which it percolates through narrow tubes
 or pores of any form depends only on
 the degree of viscosity of water. Ac-
 cording to the experiments of Poiseuille
 (*Mémoires de l'Institut*, x), the rate of
 percolation is increased by about one-
 thirtieth for each degree Centigrade of
 rise in the temperature. Thus a rise of
 1°C. should make a water-clock go faster
 by about two minutes every hour.

- (c) σπεύδοι — — — — — ρος ἔξω- (δ)
 θεῖν τοὺς — — — — — τ]ὸ ὕδωρ
 15 λαμβαν — — — — — ἐπει . . . εἴτε
 ρος τοῖς δ — — — — — ἀ]γῶ[σ]ιν
 ἐν δὲ τοῖς — — — — —
 τ]ῷ διαψη[φι — — — — — Δ . . . Δ
 ἐ]πὶ τοῖς — — — — — τοῖς πρόσ-
 20 ε]στι δεσμ[ός — — — — — δ]ήμευσις
 χ]ρημάτων — — — — — ὅ]τι χρη πα[θε]ῖν
 (d) ἡ | ἀποτεῖσαι — — — — — δικ]αστηρίων
 ἐστι — — — — — ν τινι ὅταν
 δεδε — — — — — εἰ]σαγαγεῖν
 25 συν — — — — — ΤΑΝΗΝΗ —
 ΤΑΛ — — — — —
 ΤΡΙΑ — — [ψῆφοι δὲ εἰσι χαλκαῖ], αὐλίσ-
 κον [ἔχουσαι ἐν τῷ μέσῳ, αἱ μὲν ἡ]μίσειαι τε-
 τρυ[πημέναι, αἱ δὲ ἡμίσειαι πλήρεις· οἱ] δὲ λα-

c 14 γ supra v. δ 18 Δ et Δ supra v. 20 ECCI pr. 22 'H est in d, ΑΠΟΤΙ
 in c' B. 23 'post ἐστι sequebatur numeri nota, bipartita ut vid.' B.
 23 δ ΝΗΝΟΤΑΝ K-W. 25 δ ΦΑΝΗΝΑΙ K-W, εἰρη μὲν K. d 27—35 ex Harp.
 restituit K. 23 ΜΙCΙΑΙ.

23 *Harp. τετρυπημένη: Αλσχίης κατὰ Τιμάρχου (1 § 79, τῶν ψήφων ἡ τετρυπημένη, ὅτω δοκεῖ πεπορευθεῖσαι Τιμάρχον, ἡ δὲ πλήρης, ὅτω μή). 'Δρ. ἐν 'Αθ. πολ. γράφει ταυτί· "ψῆφοι—λαμβάνουσιν." Codices meliores, ABCD, post πλήρεις in v. 29 inserunt μήτε ταύτη (ταῦτα Α) ὑπομείνας: quae depravata esse ex μήτε πάντῃ τετρυπημένης (vel potius ex μήτε τετρυπημένης) in v. 34 indicat Dind. In v. 34 post πλήρεις habent Α et Β μήτε ταύτη (C ταύτας), in Α etiam lacuna significata: in archetypo igitur erant μήτε ταύτηλαμβάνουσιν, unde in deterioribus codd. exorta μήτε πάντῃ τετρυπημένης (K-W). πάντῃ om. ETD et Photius; ταύτῃ apud Suidam in codd.

Phot. τετρυπημένη τῶν ψήφων οὐδὼν χαλκῶν καὶ αὐλίσκων ἔχουσιν αἱ μὲν ἦσαν τετρυπημέναι, αἱ δὲ πλήρεις [ἀτρύπητοι] ὅσαι ἠφίσταν τοὺς κρινομένους. Bekk. An. 307 tet. ψήφος: τῶν ψήφων οὐδὼν χαλκῶν καὶ αὐλίσκων ἔχουσιν αἱ μὲν ἦσαν δλαί τετρυπημέναι, ὅσαι κατεψηφίζοντο, αἱ δὲ πλήρεις [ἀτρύπητοι] ὅσαι ἠφίσταν τοὺς κρινομένους... (Frag. 424^a, 464^b). Pollux viii 123 ψήφους δ' εἶχον χαλκᾶς δύο, τετρυπημένην καὶ ἀτρύπητον. Bachmann Anec. ii 333, 15—25 et 373, 1—10.

27. ψῆφοι — τετρυπημέναι—πλήρεις] In Aeschin. c. Timarch. 79, the herald standing by the side of the orator is described as proclaiming that of the two votes given to each dicast, that which was perforated, τῶν ψήφων ἡ τετρυπημένη, ὅτω δοκεῖ κτλ., was the vote of condemnation; that which was not, the vote of acquittal, ἡ δὲ πλήρης, ὅτω μή (with Schol.). Cf. Plut. Lyc. 12, τῆς τετρυπημένης (ψήφου).

These ψῆφοι are identified with certain small discs of bronze which have been found at Athens, pierced with a short

metal stem. In the two specimens given in figs. 6 and 7 this stem, the αὐλίσκος of the text, is in one case perforated, in the other not: the former is clearly a ψῆφος τετρυπημένη, the latter a ψ. πλήρης. On one side of the disc are the words ψῆφος δημοσία, on the other is punched a letter of the alphabet (Γ or Κ in the only two specimens at present known to us). These letters probably correspond to those of the heliastic divisions (Α to Κ). Cf. Meier and Schöm. p. 936 Lips., and Daremberg and Saglio, iii 196.

(d) χόντες [ἐπὶ τὰς ψήφους, ἐπειδὴν εἰρημέ]νοι (δ) 30
 ὧσιν [οἱ λόγοι, παραδιδόασιν ἐκάστῳ τῶν
 δικαστῶν δύο ψήφους, τετρυπημένῃ]ν καὶ
 πλήρη, [φανερὰς ὁρᾶν τοῖς ἀντιδίκους, ἵ]να μή-
 τε πλή[ρεις μήτε τετρυπημένας] ἀ[μφο]τέρας
 λαμβ[άνω]σιν — — — — — [λ]άχω[σιν] 35
 ἀπολα Μ. ICOM . .
 ψηφиз ἀκρ . . .

[Col. 36.] του γ̄ ἀποδιδ[ῶ]· ἐὰν γὰρ γ̄ λαμβ[έ]νη, [γ̄] ψηφί-
 ζοντα]ι πάντες· οὐ γὰρ ἔστι λαμβάνειν] σ[ύ]μβολον
 οὐδενί, ἐὰν μὴ ψηφίζεται. εἰσὶ [δ'] ἀμφορεῖς
 δύο κει]μενοι ἐν τῷ δικαστηρίῳ, δ μὲν χ[α]λκοῦς,
 δ δὲ ξύλινος, διαιρετοὶ [δ]πως [μ]ή [τινε]ς ὑπο[β]άλλων- 5
 ται ψήφους, εἰς οὓς ψηφίζονται οἱ δικασταί, ὁ μὲν
 χαλκοῦς κύριος, ὁ δὲ ξύλινος ἄκυρος]. ἔχ[ει δ' ὁ] χαλ-
 κοῦς ἐπίθημα διεργ[ιν]μένον, ὥστ' αὐ[τ]ήν
 μόνῃ]ν χωρεῖν τὴν ψήφον, ἵνα μ[ὴ] δύο [ὁ] αὐτὸς
 ἐμβάλλῃ. ἐπειδὴν δὲ διαψηφί[ξεσθαι] μέλ[λ]ωσιν 10
 οἱ δικασ[ταί], ὁ κήρυξ ἀγορ[ε]ῦει πρῶτον, ἂν ἐ[π]ισκή-

35 δ ἀν [λ]άχωσιν K-W.

36 δ Μ..ΠΟΛΙ... K-W.

Pag. 36, 1 του γ̄ ἀποδιδ[ῶ]σι. . γὰρ γ̄ λαμβ[έ]νει, ἵνα] ψηφί[ζοντα]ι πάντες
 K-W. του γ̄ ἀποδιδούς [γὰρ γ̄ λαμβάνει . . ψηφί πάντες K². 2 λαμβάνειν
 K-W, λαμβάνειν K², λαβ[έ]ιν B. versus in fine ἰσορον vel -βοιον K apud B.
 σ[ύ]μβολον B. 5 δ]πως μὴ [προ]υπο[β]άλλωνται K-W; δ]πως μὴ K².
 6 ψήφοι, eis K-W; ψήφους, eis B. 7—9 e schol. Arist. rest. K.
 10 ἵνα μὴ δύο ὁ αὐτὸς ἐμβάλλῃ van Leeuwen; —ἐμβάλλῃ B; —βάλλῃ K-W, K².
 11 οἱ articulo spatium non superesse putat K. AN: [Γ]· H-L. CKE: correxit K-W.

Pag. 36, 3—9 Schol. Arist. *Eq.* 1150... ὅστερον δὲ ἀμφορεῖς δύο ἵσταντο ἐν τοῖς
 δικαστηρίοις, δ μὲν χαλκοῦς δ δὲ ξύλινος, καὶ δ μὲν κύριος ἦν, δ δ' ἄκυρος. ἔχει
 δὲ "ὁ μὲν χαλκοῦς," ὥς φησιν Ἀρ. διεργιννόμενον ἐπίθημα εἰς τὸ αὐτὴν μόνην τὴν
 ψήφον καθέσθαι. Pollux viii 123 καὶ κάδον (εἶχον) ᾧ κημὸς ἐπέκειτο δι' οὗ καθέτο ἡ
 ψήφος αὐθις δὲ δύο ἀμφορεῖς δ μὲν χαλκοῦς δ δὲ ξύλινος, δ μὲν κύριος δ δὲ ἄκυρος.
 τῷ δὲ χαλκῷ ἐπὶ ἐπίθημα μὴ ψήφω χώραν ἔχον (Frag. 426², 466²).

col. 36, 1. γ̄ λαμβάνειν γ seems to refer
 to the βακτηρία and the two ψήφοι received
 by each dicast during the trial; not to the
 three obols paid him when it is over.
 'γ̄ et τρεῖς et τρεῖς esse potest' (Blass).

8. ἀμφορεῖς also called κάδοι or κα-
 δίσκοι; Pollux viii 17, καθίσκος... τὸ ἀγ-
 γεῖον φ̄ τὰς ψήφους ἐγκαθίσταν. Harp.
 καθίσκος: ἵσταιος ἐν τῷ περὶ τοῦ Ἀγνίου
 κλήρου (*Or.* 11 § 21 bis), ἀγγεῖον τι εἰς δ
 ἐψηφοφόρον οἱ δικασταί... Bekk. *Anc.* 275
 καθίσκος: ὕδριαι χαλκαῖ, εἰς αἷς καθέτο αἱ
 ψήφοι τῶν δικαζομένων. Schol. Arist.
Vesp. 321 &c (Meier and Schöm. p. 938

—942 Lips.). Lys. 13 § 37. Cf. the
 ὕδριαι of Xen. *Hell.* i, 7, 9, and CIA iv 1,
 116 h, p. 24.

8. ἐπίθημα also called κημὸς Arist.
Vesp. 754 (Pollux viii 16 δι' οὗ καθέσαν
 αἱ ψήφοι ἐπικείμενον τῷ καθίσκῳ), *ib.* 123
 κάδον, ᾧ κημὸς ἐπέκειτο, δι' οὗ καθέτο ἡ
 ψήφος. Cf. Meier and Schöm. p. 938, n.
 492—3.

11. ὁ κήρυξ Arist. *Vesp.* 752, κείθι
 γενοίμαν, ὅς κήρυξ φησί, τίς ἀνήφιστος;
 ἀνιστάσθω.

ἐπισκήπτονται Plat. *Leg.* 937 B, ἐπι-
 σκήπτεσθαι δὲ τῶν ἀντιδίκων ἐκάτερον ὄλη

πτων]ται οἱ ἀντίδικοι ταῖς μαρτυρίαις· [δε]ῖ γὰρ
 πρότερον ἐπισκῆψασθαι [αὐ]τα[ῖ]ς πρὶν [π]άντα[ς] διαψη-
 φίσασθαι. ἔπειτα πάλιν [ἀνακη]ρύττει[ε] “ ἡ τε-
 15 τρυπη]μένη τοῦ προ]ύτερον [λέγον]τος, ἡ [δὲ] πλή-
 ρης τοῦ ὑστερον λέγο[ν]τος.” [ὁ δὲ δι]καστ[ῆ]ς λα-
 βῶν] . . . ἐ[κ] τοῦ λυχνείου τὰς ψήφους, πιέζει] τὸ
 μέσον] τῆς ψήφου, καὶ οὐ δεικνύων [τ]οῖς ἀ-
 γωνιζο]μένοις οὔτε τὸ τετρυπημέ[ν]ον
 20 οὔτε τὸ πλήρες, ἐμβάλλει τὴν μὲν κυ[ρία]ν εἰς
 τὸν χαλ]κοῦν ἀμφορ[έ]α, τὴν δὲ ἄκυρο[ν] εἰς
 τὸν ξύλ]ινον. πλα. ω οἱ δὲ
 τεταγ]μένοι, λαβ[ό]ντες [δύ] ὑ]πηρέτ[ας,
 τὸν ἀ]μφορέα τὸν κύριον [ἐπαφ]ιάσιν [ἐπ'] ἄβα-
 25 κα τρυ]πήματα ἔχοντα [ὄσ]αιπερ] εἰσὶ[ν] αἱ [ψ]ή-
 φοι] . . . αἴται . . . ηχ . ρ τοῦ ἀ[ρ]ιθμῆ-
 σαι . . .] καὶ τὰ [διάκ]ενα [αὐτ]ῶν [καὶ] τὰ πλήρη δηλ[οῖ]
 τοῖς ἀν]τιδ[ί]κοις. οἱ δ[ὲ] ἐπὶ τὰ[ς] ψήφους [εἰ]λη-
 χότες] δια[ριθμοῦ]σιν αὐτάς [ἐπ]ὶ τοῦ ἄβακος,

12 ΤΑΣ ΜΑΡΤΥΡΙΑΣ COPI. K-W (K³, B).

B. αὐτοῖς] ἐπισκ. [αὐ]ταῖς πρὶν π]άντα[ς] K-W; —[αὐ]τα[ῖ]ς πρὶν [π]άντα[ς] K³: —
 [αὐ]ταῖς ἢ ἀ]παντας B. 14 ὁ κήρυξ κηρύττει K, K-W, adversante spatio. 16 in fine
 ταστ . . . στα K³; A. ATAC. CTA (ατος μετὰ ?) K-W. 17 ἐ[κ] τοῦ B; πρόσθ]εν τοῦ K³.

ψήφους [ἐ]πὶ ἑκαστ]ον K, ψήφους ἑκαστον K-W. cum N supra TO scriptum sit, τὸ
 [μέσον] conicit B. 18 ΚΑΙΟΥΔΙΚ.ΥΩΝ B (K³); καὶ ὁ δεικνύων K¹ (K-W).

.. CA K¹, ὡς A K-W, [τ]οῖς δ . B (K³). 19 ΠΕΝΟΙΣΑΥΤΗΣ τό τε τ[ετρυ]πημένην
 K-W. 20 καὶ τὸ πλ. K-W. βάλλει K-W; EN suprascr. detexit B (K³). 22 supra πλα
 scriptum esse ΠΑΛ testatur K (ap. K-W). ΗΛΑ . T et versus in fine ω οἱ δὲ B (....α K).

23 λαβεῖν τὰς . . . ὑπέρηται K, K-W.

24 ασι K; ἐστήκ]ασι K-W; [ἐπαφ]ιάσι B.
 ΑΥΤΑ Α . ΕΥΑ . ΙΘΜΟΙ K-W.

ἄβα[κα] B; ἀνά K, K-W.

26 φοι τὰ] αὐτά . . . α ναπευ ἀ[ρ]ιθμοῖ K³.

27 εἴ]τα [καὶ] τὰ πλήρη δηλ[οῖ] τοῖς ἀν]τιδ[ί]κοις K³; ἀν]τιδ[ί]κ[οι] iam K-W.
 28—29 οὐς [εἰ]ληχ[ό]τας δια K; ΦΟΥC . ΛΗ| — ΔΙΔ K-W.

.. του α . ακας K³, [ἐπ]ὶ τοῦ ἄβακος B (quod nunc probat K).

τῇ μαρτυρίᾳ καὶ μέρει, ἐὰν τὰ ψευδῆ φῇ
 τινὰ μεμαρτυρηκέναι, πρὶν τὴν διὰν διακε-
 κρῆσθαι (Meier and Schöm. p. 488 Lips.).

15. τοῦ πρότερον λέγοντος, the plain-
 tiff: τοῦ ὑστερον, the defendant. Cf. l.
 32—33. Similarly in the trials of the
 generals after Arginusae, Xen. *Hell.* i 7, 9,
 the votes of condemnation are placed in
 what is briefly called the προτέρα ὑδρία;
 those of acquittal, in the ὑστέρη; cf.
 Lys. i 3 § 37.

17. λυχνείον] a 'lamp-stand,' probably
 with two branches, each of them sup-
 porting a flat disk, or pan (πινάκιον,
 Pollux, x 115). In the ordinary use of

the λυχνείον, the two pans would be the
 proper place for the λύχνοι; in its present
 use, or rather in the metaphorical applica-
 tion of the term to part of the machinery
 of the law-courts, the two pans are the
 place for the two sets of ψήφοι. The
 contrivance probably resembled a very
 simple type of *epergne*.

18. οὐ δεικνύων] Cf. Dem. *F. L.* 239,
 κρόβδην ψηφίζεσθαι, Meier and Schöm.
 p. 937 Lips.

24. ἄβακα] 'a reckoning-board,' Pol-
 lux x 105—6, here used to count the
 votes. Cf. Arist. *Vesp.* 332, ἡ δὴτα λίθον
 με ποίησον ἐφ' οὗ τὰς χαρίδας ἀριθμοῦσιν.

χωρίς] μέ[ν τὰ]ς πλήρεις, χω[ρί]ς δὲ τὰς τε- 30
 τρυπ[η]μένας. καὶ ἀναγορεύ[ει] ὁ κήρ[υξ] τὸν
 ἀριθ[μὸν] τῶν ψήφων, τοῦ μὲν [δ]ιώ-
 κον]τος τὰς τετρυπ[η]μένας, τοῦ δὲ φ[εύγον]-
 τος τὰς πλήρεις· ὅποτέρῳ δ' ἂν πλείω[ν γ]ένη-
 ται, οὗτος νικᾷ. ἂν δὲ [ῖσαι], ὁ [φεύγων]. ἔ[πε]ιτα πά- 35
 [Col. 37.] λιν τιμᾶσι, ἂν δέη τιμῆσαι, τὸν αὐτὸν
 τρόπον ψηφίζόμενοι, τὸ μὲν σύμβολον
 ἀποδιδόντες, βακτηρίαν δὲ πάλιν παραλαμ-
 βάνοντες. ἡ δὲ τίμησίς ἐστιν πρὸς ἡμίχουν
 ὕδατος ἑκατέρῳ. ἐπειδὰν δὲ αὐτοῖς ἡ δε- 5
 δικασμένα τὰ ἐκ τῶν νόμων, ἀπολαμ-
 βάνουσιν τὸν μισθὸν ἐν τῷ μέρει οὐ
 ἔλαχον ἕκαστοι.

30 versus in fine εἰσχω... C... ΔΕΞΑΜΕ K-W. 34 ἂν πλείω [γ]ένηται K; [ἂν
 πλείων γένηται (sic) B; πλείους γένωνται e lex. Cant. K-W, H-L.

Pag. 37, l. 4 ΤΕΙΜ. δ' ΕΚΑΤΕΡΩΝ pr. 6—8 claudit librum coronis
 ingens ante hos versus infraque porrecta; unde apparet hoc in loco opus ad finem
 fuisse perductum.

32—35 *lex. rhet. Cantab. Ἰσαι αἱ ψῆφοι αὐτῶν ἐγένοντο δὲ Ἰσαι ψῆφοι, ὡς Ἀρ. ἐν τῇ
 'Αθ. πολ.' καὶ ἦσαν "τοῦ μὲν διώκοντος" αἱ τετρυπ[η]μένας, "τοῦ δὲ φεύγοντος" αἱ πλήρεις,
 "ὅποτέρῳ δ' ἂν πλείους γένωνται," οὗτος ἐνίκᾳ, ὅτε δὲ "Ἰσαι, ὁ φεύγων" ἀπέφυγεν (Frag.
 425^a, 465^b). Harp. κἂν Ἰσαι, Hesych. Ἰσαι ψῆφοι et κἂν Ἰσαι, Append. prov. iii 30, 42,
 Schol. ad Arist. *Ran.* 685.

35. Ἰσαι] *Probl.* 39, 13, διὰ τί ποτε,
 ὅταν τῷ φεύγοντι καὶ τῷ διώκοντι φαίνων-
 ται αἱ ψῆφοι Ἰσαι, ὁ φεύγων νικᾷ; and 15.
Aeschin. 3 § 252, *Ant. Herod.* 51, *Arist.*
Ran. 685, *Aesch. Eum.* 732—3 (Meier
 and Schöm. p. 938, n. 495 Lips.).

col. 37, l. 2. τιμᾶσι—τὸν αὐτὸν τρόπον
 ψηφίζόμενοι] [Dem.] *Aristog.* 1, 83, θανά-
 του πᾶσιν ἐτιμᾶτο... καὶ ταῦτα πρὶν τὴν πρῶ-
 τὴν ψῆφον διανεχθῆναι. *Aeschin.* 3 § 197,
Dem. F. L. § 290 (Meier and Schöm. p. 943
 Lips.). In *Plat. Apol.* cc. 1—24 are sup-
 posed to have been spoken ἐπὶ τῇς πρώτης
 ψῆφου, and 25—28 ἐν τῇ τιμῇ (Shil-

letto on *F. L.*, l. c.). Cf. *Ar. Probl.* 953
 a 4, τίμησις τί χρηὶ παθεῖν ἢ ἀποτίσαι.

2. σύμβολον, col. 32, 14.

3. βακτηρίαν, *ib.* 3. The dicast has
 received the σύμβολον which entitles him
 to draw his pay; but, as a second voting
 is necessary and he is not entitled to his
 pay until this is completed, he gives up his
 σύμβολον and receives his βακτηρία instead.

4. ἡμίχουν] The χοῦς was equivalent
 to 5·76 pints.

7. ἐν τῷ μέρει κτλ.] *i.e.* in the κλη-
 ρωτήριον, col. 31, 18. Cf. also col. 33 a
 17—19.

HERACLIDIS EPITOMA.

1. Ἀθηναῖοι τὸ μὲν ἐξ ἀρχῆς ἐχρῶντο βασιλείᾳ· συνοική-
σαντος δὲ Ἴωνος αὐτοῖς, τότε πρῶτον Ἴωνες ἐκλήθησαν (cf. frag.
1). Πανδίων δὲ βασιλεύσας μετὰ Ἐρεχθέα διένειμε τὴν ἀρχὴν
τοῖς υἱοῖς. 2. καὶ διετέλουν οὗτοι στασιάζοντες. Θησεὺς δὲ
5 ἐκήρυξε καὶ συνεβίβασε τούτους ἐπ' ἴση καὶ ὁμοίᾳ (cf. frag. 2).
οὗτος ἐλθὼν εἰς Σκῦρον ἐτελεύτησεν ὥσθεις κατὰ πετρῶν ὑπὸ
Λυκομήδους, φοβηθέντος μὴ σφετερίσθαι τὴν νῆσον· Ἀθηναῖοι
δὲ ὕστερον μετὰ τὰ Μηδικὰ μετεκόμισαν αὐτοῦ τὰ ὄστα (cf.
frag. 4). 3. ἀπὸ δὲ Κοδριδῶν οὐκέτι βασιλεῖς ἤρουντο, διὰ τὸ
10 δοκεῖν τρυφᾶν καὶ μαλακοὺς γεγονέναι. Ἴππομένης δὲ εἰς τῶν
Κοδριδῶν βουλόμενος ἀπώσασθαι τὴν διαβολήν, λαβὼν ἐπὶ τῇ
θυγατρὶ Λειμώνῃ μοιχόν, ἐκείνον μὲν ἀνέειλεν ὑποζεύξας [μετὰ
τῆς θυγατρὸς] τῷ ἄρματι, τὴν δὲ Ἴππῳ συνέκλεισεν ἕως ἀπώλετο.
4. τοὺς μετὰ Κύλωνος διὰ τὴν τυραννίδα ἐπὶ τὸν βωμόν τῆς
15 θεοῦ πεφευγότας οἱ περὶ Μεγακλέα ἀπέκτειναν. καὶ τοὺς δρά-
σαντας ὡς ἐναγείς ἤλυνον (Ἀθ. πολ. c. 1).
5. Σόλων νομοθετῶν Ἀθηναίους καὶ χρῶν ἀποκοπὰς ἐποίησε,
τὴν σεισάχθειαν καλουμένην (6 § 1). ὥς δ' ἐνώχλουν αὐτῷ τινες
περὶ τῶν νόμων, ἀπεδήμησεν εἰς Αἴγυπτον (11 § 1).
- 10 6. Πεισίστρατος τριάκοντα καὶ τρία ἔτη τυραννήσας γηράσας
ἀπέθανε (17 § 1). Ἰππαρχος ὁ υἱὸς Πεισιστράτου παιδιώδης ἦν
καὶ ἐρωτικὸς καὶ φιλόμουσος, Θεσσαλὸς δὲ νεώτερος καὶ θρασύς
(18 §§ 1, 2). τοῦτον τυραννοῦντα μὴ δυνηθέντες ἀνελεῖν Ἰππα-
ρχον ἀπέκτειναν τὸν ἀδελφὸν αὐτοῦ (18 § 3). Ἰππίας δὲ
25 πικρότατα ἐτυράννει (19 § 1).
7. καὶ τὸν περὶ ὀστρακισμοῦ νόμον εἰσηγήσατο, ὃς ἐτέθη διὰ
τοὺς τυραννιῶντας. καὶ ἄλλοι τε ὀστρακίσθησαν καὶ Ξάνθιππος
καὶ Ἀριστείδης (22 §§ 1, 3, 5, 6).
8. Ἐφιάλτης (25) τοὺς ἰδίους ἀγροὺς ὀπωρίζειν παρείχε τοῖς
30 βουλομένοις, ἐξ ὧν πολλοὺς ἐδείπνιζε (27 § 3).

Ediderunt Schneidewin (Heraclidis politiarum quae extant, 1847), Carolus
Mueller (FHG ii 208, 1848), Valentinus Rose (Ar. Frag. 611, ed. 1886, p. 370);
item Ἀθ. πολ. in appendice K-W et B. 2 αὐτοῦς K-W, coll. Ἀθ. πολ. 41 § 2.
3 Cf. Strab. 392, schol. Arist. Lys. 58, 59. 4 c. 41 § 2. 5 μόρα sive τιμῇ
in codd. additum delevit Schneidewin. 8 μετὰ K-W (B) coll. frag. 4: περὶ codd.
9, 10 Cf. c. 2 § 2. 10 Cf. schol. Aeschin. i § 182. 12, 13 μετὰ τ. θ. del.
Koeler. 13 ἕως ἀπώλετο B; ἕως ἀπώληται codd.; ὥπως ἀπώληται K-W. 18 δὲ
διώχλουν codd.; δ' ἐνώχλουν K-W (B) coll. c. 11 § 1.

9. Κλέων παραλαβὼν διέφθειρε τὸ πολίτευμα (28 § 3), καὶ ἔτι μᾶλλον οἱ μετ' αὐτόν (28 §§ 4, 5; 35 § 3), οἳ πάντα ἀνομίας ἐνέπλησαν, καὶ ἀνείλον οὐκ ἐλάσσους χιλίων φ' (35 § 4). τούτων δὲ καταλυθέντων Θρασύβουλος καὶ Ῥίων προειστήκεσαν, δς ἦν ἀνὴρ καλὸς καὶ ἀγαθός (37 § 1; 38 § 4). 35

10. Θεμιστοκλῆς καὶ Ἀριστείδης (23 § 2). καὶ ἡ ἐξ Ἀρείου πάγου βουλὴ πολλὰ ἐδύνατο (23 § 1).

11. καὶ τῶν ὁδῶν ἐπιμελοῦνται, ὅπως μὴ τινες κατοικοδομῶσιν αὐτὰς ἢ δρυφάκτους ὑπερτείνωσιν (50 § 2). ὁμοίως δὲ καθιστᾶσι καὶ τοὺς ἔνδεκα τοὺς ἐπιμελησομένους τῶν ἐν τῷ δεσποτηρίῳ (52 § 1). εἰσὶ δὲ καὶ ἑννέα ἄρχοντες, θεσμοθέται 5', οἱ δοκιμασθέντες ὁμνύουσι δικαίως ἄρξαι καὶ δῶρα μὴ λήψεσθαι ἢ ἀνδριάντα χρυσῶν ἀναθήσειν (55 §§ 1, 2, 4). ὁ δὲ βασιλεὺς τὰ κατὰ τὰς θυσίας διοικεῖ (57 § 1). καὶ τὰ πολέμια (58 § 1 ?).

FRAGMENTA

ex prima libri parte

1 (Rose, Frag. 381^a)

τὸν Ἀπόλλωνα κοινῶς πατρῶον τιμῶσιν Ἀθηναῖοι ἀπὸ Ἴωνος· τούτου γὰρ οἰκήσαντος τὴν Ἀττικὴν, ὡς Ἀριστοτέλης φησί, τοὺς Ἀθηναίους Ἴωνας κληθῆναι καὶ Ἀπόλλωνα πατρῶον αὐτοῖς ὀνομασθῆναι. Harp. Ἀπ. πατρ.

πατρῶον τιμῶσιν Ἀπόλλωνα Ἀθηναῖοι, ἐπεὶ Ἴων ὁ πολέ-
μαρχος Ἀθηναίων ἐξ Ἀπόλλωνος καὶ Κρεούσης τῆς Ξούθου
<γυναικὸς> ἐγένετο. schol. Aristoph. *Av.* 1527; cf. Bekk. *An.*
291 = schol. Plat. *Euthydem.* p. 369 Bk. Heracl. *epit.* 1.

2 (384^a)

ἔτι δὲ μᾶλλον αὐξῆσαι τὴν πόλιν βουλόμενος (Theseus)
ἐκάλει πάντας ἐπὶ τοῖς ἴσοις, καὶ τὸ 'δεῦρ' ἴτε, πάντες λεφ' 10
κήρυγμα Θεσέως γενέσθαι φασὶ πανδημίαν τινὰ καθιστάντος.
οὐ μὴν ἄτακτον οὐδὲ μεμιγμένην περιεῖδεν ὑπὸ πλῆθους ἐπιχυ-

32 οἱ πάντας (πάντα B) ἀνομίας ἐνέπλησαν codd.; om. K-W. 38 ἀνοικ. codd.;
em. K-W (B). 40 ἔνδεκα [τοὺς] K-W; ἔνδεκα <κληρω> τοῖς, B. 41 θεσμοθέται
5', οἱ Coraes (K-W, B); θεσμοθέται καὶ οἱ, θεσμοθετικοὶ καὶ οἱ et similia, codd.
7 γυναικὸς add. Rose (B).

θέντος ἀκρίτου γενομένην τὴν δημοκρατίαν, ἀλλὰ πρῶτος ἀποκρί-
 νας χωρὶς εὐπατρίδας καὶ γεωμόρους καὶ δημιουργούς, εὐπατρίδαις
 15 δὲ γινώσκειν τὰ θεῖα καὶ παρέχειν ἄρχοντας ἀποδοὺς καὶ νόμων
 διδασκάλους εἶναι καὶ ὁσίων καὶ ἱερῶν ἐξηγητάς, τοῖς ἄλλοις
 πολίταις ὥσπερ εἰς ἴσον κατέστησε, δόξῃ μὲν εὐπατριδῶν, χρεῖα
 δὲ γεωμόρων, πλήθει δὲ δημιουργῶν ὑπερέχειν δοκούντων. ὅτι
 20 δὲ πρῶτος ἀπέκλινε πρὸς τὸν ὄχλον, ὡς Ἀριστοτέλης φησί,
 καὶ ἀφῆκε τὸ μοναρχεῖν, ἔοικε μαρτυρεῖν καὶ Ὅμηρος ἐν νεῶν
 καταλόγῳ (547), μόνους Ἀθηναίους δῆμον προσαγορεύσας. Plu-
 tarch. *Thes.* 25. Cf. Heracl. *epit.* 2; Ἀθ. πολ. 41, 10.

3 (385³)

γεννῆται. παλαι τὸ τῶν Ἀθηναίων πλῆθος, πρὶν ἢ Κλεισθένη
 διοικήσασθαι τὰ περὶ τὰς φυλάς, διήρητο εἰς γεωργούς καὶ δη-
 25 μουργούς. καὶ φυλαὶ τούτων ἦσαν δ', τῶν δὲ φυλῶν ἐκάστη
 μοίρας εἶχε γ', ἃς φατρίας καὶ τριττύας ἐκάλουν. τούτων δὲ
 ἐκάστη συνειστίκει ἐκ τριάκοντα γενῶν, καὶ γένος ἕκαστον ἄνδρας
 εἶχε τριάκοντα τοὺς εἰς τὰ γένη τεταγμένους, οἵτινες γεννῆται
 ἐκαλοῦντο, <ἐξ> ὧν αἱ ἱερῶσύναι <αἱ> ἐκάστοις προσήκουσαι
 30 ἐκκληροῦντο, οἷον Εὐμολπίδαι καὶ Κήρυκες καὶ Ἐτεοβουτάδαι, ὡς
 ἱστορεῖ ἐν τῇ Ἀθ. πολ. Ἀρ. λέγων οὕτως· φυλὰς δὲ αὐτῶν
 συννενεμῆσθαι δ' ἀπομιμησαμένων τὰς ἐν τοῖς ἐνιαυτοῖς
 ὥρας, ἐκάστην δὲ διηρῆσθαι εἰς τρία μέρη τῶν φυλῶν,
 ὅπως γένηται τὰ πάντα δώδεκα μέρη, καθάπερ οἱ μῆνες
 35 εἰς τὸν ἐνιαυτόν, καλεῖσθαι δὲ αὐτὰ τριττύς καὶ φατρίας.
 εἰς δὲ τὴν φατρίαν τριάκοντα γένη διακεκοσμησθαι, κα-
 θάπερ αἱ ἡμέραι εἰς τὸν μῆνα, τὸ δὲ γένος εἶναι τριάκοντα
 ἀνδρῶν. Lexicon Dem. Patm. p. 152 Sakkelion (*Bull. de*
Corr. Hellén. i 1887). Cf. schol. Plat. *Axioch.* 371^a: Ἀριστο-
 40 τέλης φησὶ τοῦ ὅλου πλῆθους διηρημένου Ἀθήνησιν εἰς τε τοὺς
 γεωργούς καὶ τοὺς δημιουργούς, φυλὰς αὐτῶν εἶναι τέσσαρας, τῶν
 δὲ φυλῶν ἐκάστης μοίρας εἶναι τρεῖς, ἃς τριττύας τε καλοῦσι
 καὶ φρατρίας, ἐκάστης δὲ τούτων τριάκοντα εἶναι γένη, τὸ δὲ
 γένος ἐκ τριάκοντα ἕκαστον ἀνδρῶν συνεστάναι. τούτους δὲ
 45 τοὺς εἰς τὰ γένη τεταγμένους γεννήτας καλοῦσι.—Harp. τριττύς:

15 <τὸ> γινώσκειν K-W.

<τοὺς> ἀρχοντας K-W.

17 πολῖταις:

τοὺς πολῖτας K-W.

24 διήρητο ex ceteris testibus em. K-W et B: διηρέτω cod.

eis <εὐπατρίδας καὶ> γεωργ. c frag. 2, 14, K-W, sed εὐπατρίδας et in schol. Plat. et

in Moeride omissos esse monet B, cum de plebe tantum sermo sit.

29 <ἐξ> et

<αἱ> ex Harp. K-W, B.

32 ἀπὸ τῶν μισθωσαμένων cod., ex Suida correctus.

τριττὺς ἐστὶ τὸ τρίτον μέρος τῆς φυλῆς· αὕτη γὰρ διήρηται εἰς τρία μέρη, τριττὺς καὶ ἔθνη καὶ πατρίδας, ὥς φησιν Ἀρ. ἐν τῇ Ἀθ. πολ. Cf. Pollux viii 111; Moeris, Suid., Harp., s. v. γεννῆται.

4 (frag. Rosio ignotum)

Ἀριστοτέλης ἱστορεῖ, ὅτι ἔλθων Θησεὺς εἰς Σκύρον ἐπὶ κατα- 50 σκοπὴν εἰκότως διὰ τὴν Αἰγέως συγγένειαν ἐτελεύτησεν ὡςθεὶς κατὰ πετρῶν, φοβηθέντος τοῦ Λυκομήδους τοῦ βασιλεύοντος <μὴ σφετερίσθαι τὴν νῆσον>. Ἀθηναῖοι δὲ μετὰ τὰ Μηδικὰ κατὰ μαντείαν ἀνελόντες τὰ ὅσα αὐτοῦ ἔθαψαν. Schol. Vatic. ad Eur. *Hipp.* 11 Schwartz. Cf. Apollod. bibl. iii 15, 5, ἐνιοι 55 Αἰγέα Σκυρίου εἶναι λέγουσιν. Plutarch. *Thes.* 35, *Cim.* 8; schol. Lycophr. 1326. Frag. attulerunt K-W, B.

dubia

5 (cf. 394^a)

λυκόποδας ἐκάλουν, ὡς μὲν Ἀριστοτέλης, τοὺς τῶν τυράννων δορυφόρους κτλ. (Schol. Arist. *Lys.* 665); cf. Phot. λυκόποδας. Quae scholiis in eisdem (*Lys.* 665—6) de Leipsydrio com- 60 memorantur, ex Aristotele (c. 19 § 3) revera hausta sunt; quae ex causa fortasse etiam λυκόποδες Aristoteli per errorem adscriptum.

6 (447^a)

Lex. rhet. Cantab., s. v. λογισταί, ad c. 54 § 2 laudatum.

7 (456^a)

τὸ δὲ παρακαταβαλλόμενον ἐπὶ τῶν ἐφέσεων, ὅπερ οἱ νῦν 65 παραβόλιον καλοῦσι, παράβολον Ἀριστοτέλης λέγει (Pollux viii 62). Res prope finem libri fortasse commemorata erat; sed παράβολον nusquam alibi inventum et iure suspectum; παραβόλιον condemnat Phrynichus.

8 (389^a)

Photius, s. v. πελάται 2, οἱ μισθῷ δουλεύοντες, ἐπεὶ τὸ πέλαι 70 ἐγγύς, οἷον ἔγγιστα διὰ πηνίαν προσιόντες. Ἀριστοτέλης (cf.

Testimonia ad c. 2, 5). Quamquam *πελάται* in libro scriptum est, 'Αριστοτέλης tamen K-W ex 'Αριστοφάνης corruptum putant, cuius inter glossas politicas haec inventa sit (61 Fresen., Miller, 75 *Mél. de litt. Gr.* 433).

aliena

9 (382^a)

picturam Aegypti (invenerunt) et in Graecia Euehir Daedalo cognatus, ut Aristoteli placet (Plin. *N. H.* vii 205).

10 (386^a)

Epimenides qui postea Buzyges dictus est secundum Aristotelem (schol. Lemov. ad Vergil. *Georg.* i 19).

11 (392^a)

80 ἡ δὲ δὴ διασπορὰ κατακαυθέντος αὐτοῦ (Σόλωνος) τῆς τέφρας περὶ τὴν Σαλαμινίων (*al.* -ίαν) νῆσον ἔστι μὲν—μυθώδης, ἀναγέγραπται δ' ὑπὸ τ' ἄλλων ἀνδρῶν ἀξιολόγων καὶ 'Αριστοτέλους τοῦ φιλοσόφου (Plut. *Sol.* 32).

12 (399^a)

πέπυσμαι...κύνας γενέσθαι φιλοδεσπότας Ξανθίππου τοῦ
85 'Αρίφρονος· μετοικιζομένων γὰρ τῶν 'Αθηναίων ἐς τὰς ναῦς, ἡνίκα τοῦ χρόνου ὁ Πέρσης τὸν μέγαν πόλεμον ἐπὶ τὴν 'Ελλάδα ἐξῆψε, καὶ ἔλεγον οἱ χρησμοὶ λῶν εἶναι τοῖς 'Αθηναίοις τὴν μὲν πατρίδα ἀπολιπεῖν ἐπιβῆναι δὲ τῶν τριήρων, οὐδὲ οἱ κύνες τοῦ προειρημένου ἀπελείφθησαν, ἀλλὰ συμμετφκίσαντο τῷ Ξανθίππῳ καὶ διανηξάμενοι ἐς τὴν Σαλαμῖνα ἀπέβησαν. λέγετον δὲ ἄρα ταῦτα 'Αριστοτέλης καὶ Φιλόχορος (Aelian. *Nat. Hist.* xii 35, ex Alexandro Myndio, ut putant K-W). ἐν οἷς ἱστορεῖται, κύων Ξανθίππου τοῦ Περικλέους πατὴρ οὐκ ἀνασχόμενος τὴν ἀπ' αὐτοῦ μόνωσιν ἐναλέσθαι τῇ θαλάττῃ καὶ τῇ τριήρει
95 παρανηχόμενος ἐμπειεῖν εἰς τὴν Σαλαμῖνα καὶ λιποθυμήσας ἀποθανεῖν εὐθύς· οὐ καὶ τὸ δεικνύμενον ἄχρι νῦν καὶ καλούμενον Κυνὸς σῆμα τάφον εἶναι λέγουσιν (Plut. *Themist.* 10, capite in eodem et Aristotele, c. 23 § 1, et Cleidemo nominato). Fortasse in zoico quodam libro Aristotelem haec narrasse putant K-W,

'sicut in *Hist. An.* Z 24 mulum ab Atheniensibus immunitate 100 donatum commemorat, quem Plutarchus in eodem capite Catonis (*Cat. mai.* c. 5) cum cane Xanthippi componit'. Rectius fortasse narrationem Philochoro tribuit J. H. Wright (cf. *Introd.* § 3 init.).

13 (401^a)

Ἀριστοτέλης δὲ παρὰ Πυθοκλείδῃ μουσικὴν διαπονηθῆναι 105 τὸν ἄνδρα φησὶν (de Pericle Plut. *Per.* 4).

14 (415^a)

πάππου ἡ τήθης πατήρ πρόπαππος...τάχα δ' ἂν τοῦτον τριτοπάτορα Ἀριστοτέλης καλοῖ (Pollux iii 17, ex Aristophane Byzantio, ut putant K-W).

15 (frag. 436 Heitz, a Rosio consulto praetermissum)

πεζὰς μόσχους, ἀντὶ τοῦ ἐταίρας· ἐλέγοντο γάρ τινες οὕτως 110 ὥς Ἀριστοτέλης ἐν τῇ Πολιτείᾳ τὰς χωρὶς ὀργάνων. Κάνθαρος Συμμαχία 'αὐλητρίδα πεζήν' καὶ Εὐπολὶς Κόλαξι. Photius, a Rosio (*Arist. Pseud.* p. 446) laudatus, coll. Hesych. s. v., Etym. Magn. πεζαί, Schol. Eur. *Alc.* 447, Theopomp. ap. Athen. xii 532. Aristotelis nomen fortasse ex alio eiusmodi fonte de- 115 fluxit, qui e capite 50 § 2 (τὰς τε αὐλητρίδας καὶ τὰς ψαλτρίας καὶ τὰς κιθαριστρίας) erat derivatus.

FRAGMENTORUM IN PAPYRO LONDINENSI INVENTORUM INDEX.

Fragmentorum numeri e Rosii editione Teubneriana (1886) repetiti, editionis Berolinensis (1870) numeris in parenthesi praepositis.

1870 1886	'Αθ. πολ.	1870 1886	'Αθ. πολ.	1870 1886	'Αθ. πολ.
(345) 383	60 § 2	(378) 417	59	(404) 444	54 § 6
(349) 387	8 § 3	(379) 418	59 § 3	(405) 445	48 § 4
(350) 388	7 § 3	(380) 419	59 § 6	(406) 446	48, 54
(351) 389	2 § 2	(381) 420	56 §§ 5-7	(407) 447	54 § 2 (?)
(352) 390	7 § 1	(382) 421	56 § 6(?)	(408) 448	50 § 2
(353) 391	8 § 5	(383) 422	56 § 6	(409) 449	51 § 1
(355) 393	15 § 3	(384) 423	56 § 7	(410) 450	51 § 4
(356) 394	19 § 3	(385) 424	57	(411) 451	51 § 3
(357) 395	19 §§ 4, 5	(386) 425	57 § 1	(412) 452	51 § 2
(358) 396	19 § 6	(387) 426	58	(413) 453	53 § 1
(359) 397	21 § 5	(388) 427	58 § 3	(414) 454	53 § 2
(360) 398	23 § 1	(389) 428	56 § 1	(415) 455	53 § 2
(362) 400	30 § 2	(deest) 429	52 § 1	(417) 457	57 § 3
(363) 402	27 § 3	(390) 430	61 § 1	(418) 458	57 § 3
(365) 403	27 § 4	(391) 431	61 § 4	(419) 459	57 § 3
(366) 404	25 § 3	(392) 432	61 § 5	(420) 460	p. 32, 8-15
(367) 405	25 § 4	(393) 433	43 § 2	(421) 461	28 § 3; 62 § 2
(368) 406	28 § 3	(394) 434	43 §§ 3-6	(422) 462	28 § 3
(369) 407	28 § 5	(395) 435	43 §§ 3, 4	(423) 463	p. 35, 1-8
(370) 408	34 § 1	(396) 436	43 §§ 4, 5	(424) 464	p. 35, 27-35
(371) 409	27 § 5	(397) 437	44 § 1	(425) 465	p. 36, 32-35
(372) 410	33 § 1	(398) 438	44 § 2	(426) 466	p. 36, 3-10
(373) 411	34 § 3	(399) 439	54 §§ 3-5	(427) 467	42 § 2
(374) 412	55 §§ 3, 5	(400) 440	48 §§ 1, 2	(428) 468	42 § 5
(deest) 413	3 § 5	(401) 441	47 §§ 2, 3	(429) 469	53 § 7
(375) 414	55 §§ 2, 3	(402) 442	47 § 1	(430) 470	49 § 4
(377) 416	7 § 1; 55 § 5	(403) 443	61 § 7	(431) 471	56 § 3

GREEK INDEX.

Chapters 1—63 are quoted by chapter and line; columns 31 to 37, by column (col.) and line.

** The double asterisk denotes words not found elsewhere; * the single asterisk, words not found in the *Index Aristotelicus*, or only in the corresponding fragments of the 'Αθ. πολ.

- *ἀβαξ col. 36, 24, 29
 ἀγαθός ἀγαθοῦ πολίτου 28, 38; ἀνδρας καλοῦς καγαθοῦς 28, 31; πολλῶν ἀγαθῶν 5, 16 (Solon); ν. ἄριστος, βελτίων, βέλτιστος
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 *ἀγραφίον 59, 10
 ἀγροικοί 13, 9
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 *ἀγροτέρα 58, 2
 Ἀγύρριος 41, 33 f
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- τῶν μετοίκων 43, 25. Ἀθηναίων, οἱ ἐθέλοντες 29, 24; τοὺς βουλευμένους 39, 2 (decree); τοὺς δυνατωτάτους 29, 34. ἐξ πάντων Ἀθ. 56, 8; ἐξ Ἀθ. πάντων 56, 3
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*ἀκίβδηλος 51, 3 (*Rhet.* 1375 ὁ 6 κίβδηλον δίκαιον)
*ἀκληρωτοί 30, 30 (decree)
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ἀκοντίζειν 42, 23
*ἀκοσμοῦντας, ἡμιοῦσα τοὺς 3, 36 (*Pol.* 1272 ὁ 8 ἀκοσμία τῶν δυνατῶν)
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*Ἀκτὴ 42, 22; στρατηγὸς εἰς τὴν Ἀ. 61, 7
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*Ἀλκμεωνίδαι τὸ γένος ἐφυγεν 1, 3; (τῶν φυγάδων) προειστήκεσαν 19, 9; Κλεισθένης τοῦ γένους τῶν Ἀ. 20, 3; 28, 8; τῶν ἐναγίων 20, 7; αἰτιώτατοι τῆς ἐκβολῆς τῶν τυράννων 20, 19; πρότερον τῶν Ἀ. Κῆδων ἐπέθετο τοῖς τυράννοις 20, 20
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*ἄμπεποι 49, 7
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ἀμφορεῖς 60, 6; (in the lawcourts) *col.* 36, 3
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ἀνὰ δισχίλους 26, 10

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*ἀπογραφῇ· (1) ἀπογραφῆν εἶναι 39, 13
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ἀπογράφω· *mid.* πρὶν ἂν ἀπογράψῃται
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*Ἀπόλλων πατρώος 55, 21; *frag.* 1

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 (2) 'rule', 'office', 'official'; the last two combined in 3, 4, πρώται τῶν ἀρχῶν ἦσαν βασιλεὺς κτλ. τούτων δὲ πρώτη μὲν ἡ τοῦ βασιλέως. *Sing.* 3, 18; 7, 15, 30; 8, 14; 13, 4, 7, 12; 14, 17, 18; 15, 9; 16, 25, 28; 16, 35 (?); 17, 1, 4, 9, 18; 18, 4; 24, 6, 8; 36, 11; 41, 20; 55, 34; τῆς ἀρχῆς ἐνεκα 55, 32; ἀρχὴν ἀρχῶν τινά 53, 31. *Pl.* ἀρχαὶ ἐνδημοί, ὑπερόμοι, 24, 16; αἱ πρὸς τὸν πόλεμον ἀρχαὶ 43, 5; 44, 17; 61, 1; αἱ κατὰ πόλεμον δ. 62, 18; δ. κληρωταὶ 8, 1, 5; 30, 13 (decree); 43, 2; 55, 1; 62, 1; κληρούμεναι, ἐκ τῆς δλης φυλῆς 62, 2; ἐν Θησεῖω 62, 2; ἀρχαὶ εἰς Σάμον κτλ 62, 16; τῶν ἀρχῶν 3, 38; 8, 10; ταῖς ἀρχαῖς 48, 8, 14; 59, 3, 11; τὰς ἀρχὰς καθίστασαν 3, 2; ἐποίησε κληρωτάς 8, 1; αἰρουμένους τὰς δ. 3, 20; διετῆρει τὰς δ. 4, 21; περὶ τὰς δ. 3, 33; 9, 2; ἀρχὰς—ἀρχεῖν 7, 11; 54, 4; ἀμίσθους 29, 30 (decree)
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 (2) 'rule', or 'hold office', ἀρχεῖ 47, 4; 61, 14; ἀρχουσι 43, 4; 50, 5; ἀρχωσι 4, 21; ἀρχεῖν 4, 16; 24, 9; 29, 31; 39, 17; 62, 18; ἤρχεν 55, 11; ἤρχον 3, 2; ἀρξεῖν 55, 31; ἤρξεν 13, 7; 19, 39; *pass.* τὴν ἀρχὴν—τῶν ἀρχομένων ἦττω 36, 11
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*Ἀττικὴν, εἰς τὴν 19, 31; γλῶσσαν—Ἀττικὴν 12, 38 (Solon); Ἀττικὸν ἐμπόριον 51, 17

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- δημοτικὸς τῷ ᾄθει 16, 30; δημοτικὴν—πολιτείαν 29, 19; δημοτικά 10, 1; δημοτικώτερα 22, 1; 27, 3; 41, 15; δημοτικώτατος 13, 20; 14, 1; τρία—δημοτικώτατα 9, 2. οἱ δημοτικοὶ 6, 8, 13; 16, 36; 18, 30; 34, 18.
- διά *c. gen.* (1) duration of time, διὰ βίον 3, 3; 39. (2) interval of time, διὰ τῶν αὐτῶν χρόνων 13, 6; adverbial *διὰ τάχους* 34, 1 (διὰ ταχέων in *Rhet.* 1386 *b* 1 & c). (3) agent, δι' Ἀριστοδίκου 25, 24; τῶν φίλων 6, 8; δι' αὐτῶν 33, 12; ἐαυτῶν 35, 7; αὐτοῦ 41, 5. (4) means, διὰ τούτων 25, 1; δι' αὐτῶν 25, 9. (5) distributed possession, ἡ γῆ δι' ὀλίγων ἦν 2, 6; 4, 29; ἐὰν δι' ὀλίγων ποιήσωνται τὴν πολιτείαν 29, 9.
- c. acc.* (1) *per se*, δι' ὅν 22, 16; διὰ Πανσωνίαν 23, 20; τοὺς δημαγωγούντας 26, 3; τοὺς δημαγωγούς 41, 9; τοὺς παροργίσαντας 34, 7; (2) *rei*, διὰ τοῦτο 21, 8; ταῦτα 38, 31; τοὐνανδ' αἰτίαν 19, 8; ταύτην τὴν αἰτίαν 23, 8; ταῦτας τὰς αἰτίας 21, 1; τὰ ξειώματα 18, 1; τὴν ἀπορίαν 13, 22; τὰς τῶν χρεῶν ἀποκοπὰς 11, 8; τὴν τῆς θαλάττης ἀρχὴν 41, 19; τὰς πατρικὰς δόξας 26, 9; τὴν ἐπὶ αὐτοῖς 38, 28; τὰς ἡλικίας 18, 2; τὴν παρησίαν 16, 23; τὸ πλῆθος τῶν πολιτῶν 26, 21; τὴν βραθυμίαν 8, 28; τὴν σεισάχθειαν 12, 27; τὴν συμμαχίαν 29, 4; τὴν Ξέρξου στρατείαν 22, 40; τὴν φιλονικίαν 13, 16; τὸν φόβον 13, 23. *c. inf.* διὰ τὸ ἀνηρκέειν 19, 2; ἀποβαλεῖν Πύλον 27, 26; βοήθησαι 19, 28; γενέσθαι 3, 7; δοκεῖν 20, 7; 11, 9; θανατοῦσαι 16, 19; μεγάλην γεγενῆσθαι μεταβολὴν 13, 15; μὴ βούλεσθαι 15, 3; μὴ γεγράφθαι 9, 7; μὴ δύνασθαι 9, 12; μὴ χρῆσθαι 22, 3; νομίζειν 29, 8; ποιήσασθαι 41, 4; στασιάζειν 13, 8; συμβῆναι 28, 33; τιμωρεῖν 19, 2.
- διαβάλλειν 6, 5; διαβάλλουσι 28, 36; διαβεβλήμενους 23, 20.
- *διαβουλεύσαι, (κατελύθη) ἡ βουλὴ πρὶν, 32, 4.
- διαγίγνομαι· διαγεγνηται (ἡ πολιτεία) μέχρι τῆς νῦν *c. part.* 41, 23.
- διάγω· διήγον ἐν ἡσυχίᾳ 13, 3; οὕτως διάγουσι 42, 29.
- διαδέχομαι· διαδεξαμένων (?) τῶν υἱῶν 16, 28 (*cf.* *Pol.* 1293 *a* 29 τῶν τελευτῶντων διαδέχεσθαι τοὺς υἱεῖς); διεδέχοντο συνεχῶς τὴν δημαγωγίαν 28, 26.
- διαδίδωμι· πορίσασα δραχμὰς ἐκάστῳ ὅκτῳ δέδωκε 28, 7; (διωβελία) διεδίδοντο (?) 28, 21.
- διαδικάζει τοῖς γένεσι—τὰς ἀμφισβητήσεις 57, 10 (only in *corresp.* frag. and *Oec.* 1347 *b* 28).
- *διαδικασία· ἐπιτροπὴς 56, 38; *pl.* κλήρων καὶ ἐπικλήρων 56, 39; (τριηραρχῶν) 61, 9.
- *διαίρετοι, ἀμφοτέρι *col.* 36, 5.
- διαίρῳ· 'divide', τὰ τιμήματα διεῖλεν εἰς τέτταρα τέλη 7, 9; διήρητο 7, 9; διηροῦντο εἰς τοὺς δῆμους 62, 3; διελόμενοι τὰς φυλάς, πέντε ἐκάτερος 61, 20; 'distinguish' τοῖς μέτροις διηρησθαι 7, 26.
- διαίτας ἀποφαίνονται 55, 29; διανέμουςι 53, 28; ἐκδιατᾶν 53, 29.
- διαιτηταί 53, 6; 55, 29; 58, 8; ἐξηκοστὸν ἔτος 53, 19; διαιτητοῦ γνώσις 53, 12; παρὰ τοῦ δ. 53, 18.
- *διαίτῳ· διαιτῆσει 53, 28; ἐπώνυμος δ—δεδιαιτηκὼς 53, 24.
- [διάκ]ενα *col.* 36, 27.
- *διακληροῦσι 50, 8; διακληρώσαι 30, 18 (*decree*).
- διάκονε 20, 22 (*scolium*).
- διακόσιοι 24, 14; ἓνα καὶ διακοσίους (δικαστάς) 53, 15; διακόσια (μέτρα) 7, 27.
- διακοσμοῦντα τὴν πομπήν 18, 20.
- *διακρίων (στάσις) 13, 20.
- διαλέγομαι· διελέγето μετὰ σπουδῆς αὐτοῖς 25, 17; διαλέξεται πρὸς τὸν δῆμον 43, 28.
- διαλέπω· διαλιπόντες ἔτη δύο 22, 11.
- *διαλλακτήν Σόλωνα, ἐλθόντο 5, 4; τῶν (ἐκ Λακεδαιμόνος) δέκα διαλλακτῶν 38, 26.
- διαλύσεις (ἐπ' Εὐκλείδου) 38, 20, 25; 39, 1; 40, 1.
- διαλύων τοὺς διαφορομένους 16, 14; διαλύσαι 53, 7; διελύθησαν—πρὸς τοὺς Ἑλευσῖνι 40, 25.
- διαμαρτάνων τῆς πρὸς αὐτὸν φύλας 18, 9.
- διαμένει τὸ δέκα κληροῦν 8, 4; ἐν τῇ ἀρχῇ διέμεινεν 17, 4; διέμεινεν ἡ πολιτεία 25, 2; 33, 1.

διαμφισβητεῖ, ὑπὲρ ἀμφοτέρων μάχεται καὶ 5, 20
 διαμφισβητήσεις εἶχον, τῶν Σόλωνος θεσμῶν δοσι 35, 11
 διανέμω διανεμουν—τὰς διαίτας 53, 27; διανεμάτων 31, 20 (decree); διένειμε τὴν χώραν τριάκοντα μέρη 21, 12; διανείμαι σφᾶς τε αὐτοὺς καὶ τοὺς ἄλλους δέκα μέρη 30, 17 (decree); διανεμάντα (τὰς δίκας) δέκα μέρη 58, 6. διανείμασθαι τὴν γῆν 12, 15; τὸ ἀργύριον 22, 31
 διαπέμπω διεπέμποντο πρὸς τοὺς ἐν Πειραιεὶ 38, 23
 διαπεσόντος (?) χρόνον 35, 25
 διαπραξάμενος, ταῦτα 20, 9
 δια[ρ]ημοῦσιν col. 36, 29
 διαρπάξεν, τὰς οὐσίας 35, 25
 **διαρρῶν ἐπίθημα διερρηνμένον col. 36, 8
 διασεισάντος τοῦ ὑπάρχοντος col. 31, 8
 διασημαίνω διεσήμηναν 15, 22
 διασπείρω διεσπαρμένοι κατὰ τὴν χώραν 16, 8; διεσπάρησαν οἱ λόγοι πρὸς τὸ πλῆθος 36, 4
 *διασφάλλωμαι ἐν—οἷς ἔπραττον διεσφάλλονται 19, 11
 διασφίξω ἐπειρῶντο τὸν δῆμον 34, 18
 διατάττουσι (τοὺς στρατηγούς) 61, 3; διέταξεν τὴν πολιτείαν 7, 7; τὴν πολιτείαν διέταξαν 29, 28; διατάξας 11, 1; διατάσσα 8, 11
 διατελοῦσιν, χρώμενοι 8, 6; διετέλουν νοσοῦντες 13, 12; διετέλουν—δημαγωγοῦντες 28, 4; στασιάζοντες διετέλεσαν 20, 19
 διατηρεῖν τοὺς νόμους 3, 34; διετρεῖ τὰς ἀρχάς 4, 30; τὰ μέγιστα τῶν πολιτικῶν 8, 22
 διατίθω, ἀγῶνα 57, 7; 58, 2
 διατρέβω c. *pati*. διέτριβε δημηγορῶν 15, 20. οὐ διέτριβεν 25, 16; διατρέβωσιν ἐν τῷ ἄστει 16, 8; διατρέβουσιν ἐν τοῖς φυλακτηρίοις 42, 33
 διαφάδην 12, 57 (Solon)
 διαφέρων, δικαιοσύνη τῶν καθ' ἑαυτὸν 23, 15; συνέσει καὶ γνώμῃ διαφέρειν 32, 11. διαφερόμενοι πρὸς ἀλλήλους 23, 17; τοὺς διαφερομένους 16, 15
 διαφθεῖραι ('corrupt') τὸν δῆμον 28, 16.
 (2) 'kill', Θηραμένην διαφθεῖραι 37, 4; διέφθειραν αὐτὸν 18, 38
 διάφορος c. *dat*. 11, 8
 διαφυλάττω τὴν δημοκρατίαν 29, 2
 διαχειρίζω—χρήματα 30, 14 (decree); cf. 43, 13, and *Pol.* 1322 b 28
 *διαχειροτονοῦσιν 49, 17
 *διαψηφίζεσθαι 55, 25; col. 36, 10; διαψηφίζονται 42, 4; διαψηφίσασθαι col. 36, 13
 *διαψηφισμός 13, 24
 διδάσκαλοι (ἐφήβων) 42, 22
 διδάσκουσιν 42, 24
 *δίδραχμον 10, 7; *Oec.* 1353 a 17

δίδωμι διδόναι τοῖς πολλοῖς τὰ αὐτῶν 27, 21; διδόναι δημοσίᾳ τροφὴν 49, 28; δίδωσι—εἰς τροφὴν 42, 24; δίδωσιν ἐπιχειροτονίαν—ψῆφον 55, 22 f; δίκην (42, 34), ἐπιχειροτονίαν (43, 24), εὐθύναν (56, 4) δίδωσιν; οὐδεμίαν ἐαυτῷ πλεονεξίαν διδοῦς 16, 32; δοῦναι τὴν δεξιάν and τὴν δεξιὰν δέδωκεν 18, 35 f; δοῦναι τὰ ἐάντου 35, 14; δοῦναι ταῖς ἀρχαῖς (τὰ δικαστήρια) 59, 2; (φάρμακον) δοῦς 57, 16; δοῦς κατηγορίαν καὶ ἀπολογίαν 55, 21
 *diegynāsthai 4, 10
 διελεῖν (?) 4, 16; χρόνον διελεθόντος 4, 2; διελεθόντων—ἐτιώ 42, 36
 δικάζω of the officials presiding at a trial, (οἱ εἰσαγωγεῖς) ταύτας δικάζουσιν 57, 17, 21, 23—26, 30; 59, 2; ἐμμήνουν εἰσαγοντες 52, 17; cf. 57, 27 and 30. *Abd.* 63, 11, 13. κατὰ δῆμον ἐδίκασον 53, 3; τοῖς τὴν φυλὴν—δικάζουσιν 53, 14; 58, 7; δεδικασμένα col. 37, 5
 δικαίος πρὸς τὴν πολιτείαν 25, 5; οὐ—δικαίον 9, 13; 11, 64; δικαίος (μέτροις καὶ σταθμοῖς) 51, 7. *Adv.* δικαίως λαβεῖν τὴν ἐξουσίαν 41, 4; ἐγγράφεσθαι 42, 10; ὥνιος ἔσται 51, 11; ἀρξεν 55, 31
 δικαιοσύνη—διαφέρειν 23, 15
 δικαστήρια (under Solon) 7, 15; 9, 5, 10; (Ephialtes) 25, 10; (Pericles) μισθοφόρα 27, 11; (Anytus) δεκάσας τὸ δικαστήριον 27, 27. εἰσάγειν εἰς δικαστήριον (29, 26), εἰς τὸ δ. 45, 10; 48, 26; 52, 4, 6, 19. ἐφήσω (ἐφῆ 53, 9) εἰς τὸ δ. 42, 8; ἐφέσιμος εἰς τὸ δ. 45, 14; ἐφεις εἰς τὸ δ. 45, 16, 19; 55, 11. ἐν δικαστηρίῳ 55, 7, 10; ἐν τῷ δ. 47, 22; 48, 18; 55, 22; 56, 3; 61, 12. τὸ δ. 63, 17; τὰ δ. 63, 23; προγράψαι 59, 1. δ. ἴδια καὶ δημόσια 59, 15. τὰ δ. τρεῖς ὀβολοὺς (μισθοφορεῖ) 62, 7; τὰ δ. κληροῦσιν οἱ ἐννέα ἄρχοντες 63, 1; εἰσδοὶ εἰς τὰ δ. (?) 63, 3
 δικαστής, ἕκαστος, 63, 18; δικασταί—ἐξακισχίλιοι 24, 12; κατὰ δῆμον 16, 13; 48, 24; δ τι ἀν γνώσιν οἱ δικασταί 48, 27; ἀν καταγνώσιν οἱ δικασταί 54, 9; 63, 14; ἐπὶ τοῖς δικασταῖς 55, 20; τῶν λαχόντων δικαστῶν 63, 6; δικαστὰς κληροῦσι 59, 18
 δίκη Solon in c. 12, ἐν δίκῃ χρόνον l. 30; βίαν τε καὶ δίκην l. 43; εὐθείαν δίκην l. 46.
 δίκην δίδωσιν—λαμβάνουσιν 42, 34; δίκας λαγχάνουσιν 53, 2; δίκαι λαγχάνονται πρὸς αὐτὸν 58, 4; δίκας κρίνειν 3, 32
 δίκαι· αἰκείας 52, 15; ἀνδραπῶδων 52, 16; ἀποστασίον, ἀπροστασίον, 58, 9; εἰς δατητῶν ἀλρεσιν 56, 36; εἰς ἐπιτροπῆς διαδικασίαν 56, 38; εἰς ἐπιτροπῆς κατάστασιν 56, 37; δοῦλον ἐάν τις τὸν

ελευθερον κακῶς λέγει, 59, 14; ἐμμηνοι 52, 11—20; ἐμπορικαί 59, 14; ἐρανικαί 52, 15; ἔλαι 58, 5; 59, 13; κλήρων καὶ ἐπικληθῶν 43, 21; 56, 39; 58, 9; κοινοικαί 52, 15; μεταλλικαί 59, 14; παρανομίας 56, 35; προκός 52, 12; ἀπὸ τῶν συμβόλων 59, 17; τραπεζικαί 52, 16; τριηραρχίας 52, 16; ὑποβύλων 52, 16; (ψευδομαρτυριῶν) col. 36, 11—13; τὰ ψευδομαρτύρια τὰ ἐξ Ἀρείου πάγου 59, 17. For δίκαι ἀδικίου, κακώσεως, κλοπῆς (δημοσίων χρημάτων), πυρκαϊᾶς, τραύματος, φόνου, see γραφαί

διμνηον ἦρξεν 33, 2

διὸ καὶ 3, 17, 21, 38; 5, 19; 8, 16; 16, 13, 26, 34; 17, 4; 20, 21; 23, 15, 20; 27, 20; διὸ καὶ οὖν 7, 29

διοικεῖν, μηδὲν τῶν πατρῶν τὸν ἀρχοντα, 3, 16; πάντα, 16, 31; 44, 12; τὴν πολιτείαν, 27, 11. διοικεῖ—ἀγῶνα 56, 27; τὰς πατρὶας θυσίας 57, 9. διοικουίς, πεντητηρίδας 54, 28; πομπήν 60, 4. διώκει τὰ πλείστα καὶ τὰ μέγιστα 3, 35; τὰ κοινὰ 14, 17; τὰ κατὰ τὴν πόλιν 16, 2; τὴν πόλιν 23, 3. τὰ ἅλλα πάντα διώκουν 26, 12. διώκησαν, τειχῶν ἀνοικοδόμησιν 23, 17. πάντα διοικεῖται ψηφίσμασι καὶ δικαστηρίοις 41, 25; τὰ ὑπὸ τῆς βουλῆς διοικόμενα 50, 1; περὶ τῶν διωκμένων 25, 7

διοίκησις ἀπὸ τῶν κοινῶν 24, 21; ἐγκύκλιος 43, 1

Διονύσια 56, 11, 12, 28; Δ. τῶν μεγάλων 56, 22; τῶν ἐπὶ Ἀθῆναις 57, 4; in Salamis and Peiraeus 54, 35

Διόνυσος 3, 26

διπλοῦν—καταβάλλειν 49, 5

διπλοῦται 54, 12

δις τὸν αὐτὸν μὴ ἀρχεῖν 4, 15; οὐκ ἔστιν (ἐπιστάτην) δις τὸν αὐτὸν γενέσθαι 44, 3; ἔξεστι βουλευσάαι δις 62, 19

*δισμύριοι 24, 12

*δισχίλιοι 24, 18; ἀπὸ τοῦ κυδμόν 24, 20;

δισχίλιος 26, 10

Δίφιλος 7, 21, 23

*δίχους col. 34, 33 f

διωβελία 28, 20 (διωβολία Pol. 1267 b 2)

*διώβολον 41, 34

διώκειν, 'prosecute,' 56, 31; τοῦ διώκοντος, 'the plaintiff,' 53, 11; col. 36, 32. διώκειν τὴν μέσσην πολιτείαν 13, 18; τὴν πάτριον πολιτείαν 35, 9

δόγμα· οὐδενὶ δόγματι λαβοῦσα τὴν ἡγεμονίαν 23, 4

δοκιμάζει (ἢ βουλή) τοὺς ἐγγραφέντας 42, 12; —βουλευτάς 45, 17; —θ' ἀρχοντας 45, 17; —ἱπποῦς, προδρόμοις, ἀμύποῦς, 49, 1, 5, 7; —ἀδυνάτους 49, 25, 27. δοκιμάζωσιν (τοὺς ἀρχοντας) 55, 13; δοκιμάζονται (οἱ ἀρχοντες) 55, 6; (οἱ πάρεδροι) 55, 3. δοκιμασθέντες (οἱ ἀρχοντες) 55, 27; (οἱ ἀσθλοῦται) 60, 3; δοκιμασθῶσιν οἱ ἐφηβοὶ 42, 14

δοκιμασίας ταῖς ἀρχαῖς ἀπάσαις, εἰσάγουσιν (οἱ θεσμοθέται) 59, 11

δοκῶ *passim*. c. *inf.* 6, 12; 9, 2; 10, 1; 20, 7; 22, 17; 25, 5; 28, 35 &c. τὰ δόξαντα περὶ τῆς πολιτείας 35, 3. δολοφονηθεὶς 25, 24. δολοφονηθέντος Διομήδους, *de Admir.* 836 a 16; δολοφονία *Eit.* 1131 a 7

δόξαν, παρὰ 11, 10; τῇ φύσει καὶ τῇ δόξῃ 5, 12; διὰ τὰς πατρικὰς δόξας 26, 9

δόρυ 42, 31

δορυφόροι (of Hippias) 18, 22

δουλεύειν 2, 11; ἐδούλευον οἱ πένητες τοὺς πλουσίους 2, 3; τῶν πολλῶν δουλεύοντων τοὺς ὀλίγους 5, 2; cf. 12, 26. Γῆ —δουλεύονσα 12, 34 (Solon)

δοῦλων δίκαι 59, 4; φανερώς δοῦλοι 40, 10. Δρακοντίδης 34, 27

Δράκων 3, 1; 4, 3; 7, 2; 41, 11

*δραχμή· 3, 19; 10, 6; 23, 7; 42, 25; 50, 7; 62, 7, 12, 14. ἐπὶ δραχμῇ 52, 13. μέχρι δέκα δραχμῶν 52, 19; 53, 5. Omitted ἐντὸς χιλίων—ὕπερ χιλίας 53, 15 f. (συναλλάγματα) δραχμαῖα καὶ πεντάδραχμα *Pol.* 1300 b 33

*δρύφακτος 50, 11

δρῶν· τοῦτ' ἔδρυν καὶ ἐπὶ τῶν ἄλλων 35, 17; βουλευμένοι τι δρᾶσαι πρὸ τῆς συλλήψεως 18, 18; τῷ δρᾶσαντι λαγχάνει 57, 30

δύναμις, εἶχον 12, 6 (Solon); μέγιστην εἶχεν δ. 13, 11; τὴν ναυτικὴν δ. 27, 5; περιέλιοντο τὴν δ. 25, 22; ἐπιλειπόμενος τῇ δυνάμει 19, 5; τῶν ἐν ταῖς δυνάμειν 22, 13 (cf. τῶν ἐν ταῖς ἐξουσίαις *Eit.* 1095 b 21)

δύνασθαι 9, 12; μὴ δ. τῷ σώματι ἱππεύειν ἢ τῇ οὐσίᾳ 49, 16; particip. 7, 19; 49, 3; ἐδύναντο 18, 25; 19, 9; δύνωνται διαλύσαι 53, 7.

δυναστεία, καταλύσῃ τὴν (of the Thirty) 36, 6

δυνατός, καθ' ὅσον ἦν 14, 14; μὴ δυνατοὺς εἶναι τοῖς σώμασιν ἱππεύειν 49, 14; τοῖς δυνατωτάτοις καὶ τοῖς σώμασιν καὶ τοῖς χρήμασιν λητουργεῖν 29, 34 (decree)

δύο 4, 19; 13, 7, 9; 20, 14; 22, 11; τὰ δύο μέρη 51, 17. *gen.* τῶν δυνεῖν ἐτῶν 42, 37; δυεῖν δραχμαῖν 50, 7; δυοῖν χάριν 16, 7. *dat.* δυοῖν φυλαῖν 52, 12; 56, 13; πρὸς τοὺς δυοῖν ὀβολοῖν 28, 32. Cf. Kühner, ed. Blass, i p. 633

δυσκολίας, τὰς παρούσας 35, 15. δυσχεραίνοντες, τῇ πολιτείᾳ 13, 15 (οἱ ἐν τῇ πολιτείᾳ δυσχεράναντες *Pol.* 1306 b 4); ἐπὶ τοῖς ἄλλοις ἐδυσχεραῖνον 2, 12.

δώδεκα 8, 13; 21, 9

δωδεκάτω, ἔτει 22, 10

δωρεὰν οὐκ ἔστιν αὐτοῖς λαβεῖν 46, 6; δωρεῶν 3, 13

*δωροξένιας γραφῇ 59, 8

δῶρα δοῦς 59, 9; λαβόντα 54, 8; μὴ λήψεσθαι 55, 3. δῶρων γραφῇ 59, 9; δῶρων τιμῶν 54, 9

ἐάν 7, 6; 16, 42 (law); 17, 7; 22, 34 &c. Cf. *ἀν*
 ἐαυτοῦ, αὐτοῦ, *passim*. νοσοῦντες τὰ πρὸς
 ἐαυτούς (= ἀλλήλους) 13, 12
 ἐβδουμήκοντα 10, 6
 ἐβδομος 15, 2
 ἐγγίγνεται 54, 32
 ἐγγραφή τῶν πολιτῶν 42, 38
 ἐγγράφονται—eis τοὺς δημότας 42, 3, 4;
 ἐγγράφειν 42, 11; ἐγγράψαντας 42, 13;
 δικαίως ἐγγράφεσθαι 42, 10; τοὺς ἐγγρα-
 φέντας 42, 12; οἱ δ' ἐφηβῶς οἱ ἐγγραφόμε-
 νοι — eis λευκωμένα γραμματεῖα
 ἐνεγράfonto, — ἐνεγράφησαν 53, 22 f.
 (ἱππέας) ἐγγράφουσιν eis τὸν πίνακα
 49, 18; (ἱππέων) ἐγγεγραμμένων 49, 13.
 τῶν ἐγγεγραμμένων (eis τὸν τῶν τρι-
 χιλῶν κατάλογον) 36, 15.
 ἐπιτροπὸν ἐγγράψαι 56, 39. κἄν τις
 ἑλλίπῃ καταβολήν, ἐνταῦθ' ἐγγέγραπται
 48, 5; (cf. πράξεις τῶν προτιθεμένων κατὰ
 τὰς ἐγγράφας *Pol.* 1322 a)
 ἐγγυηταὶ 4, 12
 ἐγκαλῇ, ὅ τι *ἀν* 48, 22; οὐδεὶς οὐδὲν ἐνε-
 κάλεσεν αὐτοῖς 38, 30
 *ἐγκατεγήρασε τῇ ἀρχῇ 17, 1
 ἐγκρατέστερον ἔσχον, τὴν πόλιν 35, 22
 (cf. ἐγκρατῶς ἔσχον τὴν ἀρχήν *Pol.*
 1284 a 40).
 ἐγκύκλιος (ἀρχαί) 26, 18; τὰς ἀρχὰς τὰς
 περὶ τὴν ἐγκύκλιον διοικήσιν 43, 1
 ἐγχεῖ 22, 22 (scollum)
 *ἐγχειρίδια 18, 27
 ἔδρα βουλῆς ἢ ἐκκλησίας 4, 17; τὰς ἔδρας
 — τῆς βουλῆς 30, 24
 ἔερδον 12, 23 (Solon)
 ἐθέλω *passim*; in pap. saepe θέλω. μὴ
 θέλουσι 49, 3; μὴ θέλῃ 56, 37. οἱ
 ἐθέλοντες Ἀθηναῖον 29, 24 (decree)
 εἰ μὴ τι παρωρῶτο 26, 18; εἰ μὴ — ἀπο-
 δοῖεν 2, 7; εἰ — ἐκλείποι 4, 17; εἰ δὲ
 μὴ, after *ἐάν* μέν, 22, 35 &c; after *κἄν*
 μέν, 52, 5. εἰ — ἥ (= πότερον — ἥ) 43,
 23
 εἰκός 6, 13; 9, 12 &c.
 εἰκοσι 17, 4; 24, 19; 29, 11; 30, 10
 εἰκῶν 7, 21
 εἰμί *passim*. εἴη 14, 9. ἐπὶ τῶν ἰδίων
 εἶναι 15, 25; πρὸς τοῖς ἰδίοις ὄντες 16,
 9. τὸ νῦν εἶναι 31, 9 (decree)
 εἰπεῖν 2, 12; 14, 9; ὡς εἰπεῖν 2, 12; ὡς
 ἔπος εἰπείν 49, 31; 57, 8. *ἀν* — εἴ-
 ποι 7, 30; εἰπῶν 10, 5; Περικλέους εἴ-
 πόντος 26, 22; εἰπόντος τὸν πρὸ τοῦ
 ψηφίσματος λόγον Μηλοβλου 29, 6. εἴπα
 12, 22 (Solon). Cf. *εἰρηται*
 εἰργεσθαι τῶν νομίμων 57, 13; εἰργεται
 τῶν ἱερῶν 57, 28
 εἰρήνην ἀγειν 34, 9; παρεσκεύαζεν εἰρ. 16,
 26; ἐπὶ πέρας ἤγαγε τὴν εἰρήνην 38, 25.
 τῆς εἰρ. γενομένης αὐτοῖς 34, 17
 εἰρηται, καθάπερ 4, 24; ὥσπερ 16, 3; ὅ-
 περ εἰρηται τρόπον 11, 2. τῆς ἡλικίας

τῆς εἰρημένης 30, 15 (decree); εἰρημένοι
 ὡσιν οἱ λόγοι col. 35, 30. Cf. *εἰπείν*
eis (1) of place, eis Ἀγυντῶν 11, 5; eis
 Πειραιᾶ, eis δστυ, 51, 1 f; ἡ eis τὸ
 δικαστήριον ἔφεσις 9, 5
 (2) of time, eis ἐνιαυτὸν 30, 19 (de-
 cree); τρία ἔτη 47, 12; ἐκατὸν ἔτη 7,
 7; τὸν μέλλοντα χρόνον 31, 1; and (in
 decrees) τὸν λοιπὸν χρ. 30, 15; τὸν ἄλλον
 χρ. 31, 18. ἐκ Παναθηναίων eis Πανα-
 θῆναια 43, 4.
 (3) of measure, or limit, eis ἑπτα-
 κοσίους ἀνδρας 24, 16
 (4) of relation to, ἥδον — eis τοῦτω
 20, 21. τὰ eis τὸν πόλεμον 23, 10
eis passim. = ὁ μὲν eis — ὁ δ' ἕτερος 37, 6 f;
 ἐνὸς δεῖν 19, 39; 27, 27; ἐνὸς δέοντα 17,
 4; ἔνα 4, 14; μία 13, 17; μίαν 4, 19
 *εἰσαγγεῖν. Σόλωνος θέντος νόμον εἰσα-
 γγγελλας 8, 26; *pl.* 29, 23; 43, 19;
 59, 4
 εἰσαγγέλλειν, πρὸς τὴν τῶν Ἀρεοπαγιτῶν
 βουλὴν 4, 22; eis τοὺς διατητάς 53, 32;
 (οἱ θεσμοθέται) τὰς εἰσαγγελλίας εἰσαγ-
 γέλλουσιν eis τὸν δῆμον 59, 4; ἔφεσις
 καὶ τοῖς ἰδίωταις εἰσαγγέλλειν ἥ *ἀν* βού-
 λωνται τῶν ἀρχῶν μὴ χρῆσθαι τοῖς νόμοις
 45, 14 (not found in Ar. in technical
 sense)
 εἰσάγω· eis δικαστήριον 29, 26 (decree).
 eis τὸ δικαστήριον 45, 10 (law); 48, 26;
 52, 4, 6; 53, 15; 54, 6; 56, 30, 42;
 63, 14. δίκας 52, 12, 17; 58, 8; 59,
 13, 17. διαδικασίας 61, 6. δοκιμασίας
 59, 11. ἐνδείξει 52, 8, 9. προβολὰς
 κτλ 59, 5. τοῖς δικασταῖς τοῖς τῇ
 φυλῇ—εἰσαγόμενοι 48, 25.
 *εἰσαγωγίς 52, 11
 *εἰσελάνω· ἐφ' ἄρματος εἰσέλανε 14, 29
 εἰσέρχομαι· eis τὴν ἀρχὴν εἰσέρχονται 55,
 35; εἰσελθεῖν eis τὴν ἀρχὴν 56, 6. εἰσελ-
 θόντες eis τὸ βουλευτήριον 32, 13. εἰσελ-
 θεῖν eis τὸ δικαστήριον col. 32, 6; εἰσηγή-
 (eis δικαστήριον) col. 31, 33; col. 32, 7.
 εἰσελθεῖν eis τὸ ἱερὸν 57, 29. *Ads.* εὐθὺς
 εἰσελθὼν 56, 5; εἰσέησαν and εἰσιέναι
 32, 5 f. τὸν εἰσιόντα ἐκ αὐτῶν 31, 13
 (decree)
 εἰσηγήσατο, ὥσπερ Ἀριστείδης 24, 10
 *εἰσηγητής 27, 20
 εἰσόδος, eis τὰ δικαστήρια (?) 63, 3, 7;
 δικαστήριον col. 32, 10
 *εἰσπράττειν 8, 17; 48, 6; 60, 8; ἐπιτρο-
 πους—εἰσπράττει 56, 46
 εἰσφέρει—τὰς μισθώσεις 47, 26. εἰσα-
 φέρουσι γράψαντες ἐν σανίδι 48, 9; τὸν
 κατάλογον eis τὴν βουλὴν 49, 11. νόμους
 εἰσήνεγκαν eis τὴν βουλὴν 37, 5. εἰσφέ-
 ρεται—eis τὴν βουλὴν τὰ γραμματεῖα 47,
 30
 εἰσφορά 8, 15
 εἶτα· εἶτ' 8, 4; 22, 34. πρῶτον μὲν—εἶτ' 42,
 20; πρῶτον μὲν—ἔπειτα—εἶθ' 62, 6—9.

είωθεν 28, 24; εἰώθασιν 40, 4; τῇ εἰω-
θυῖα—πρόσῃτι 22, 19

ἐκ (1) place, ἐξ "Ἀργους 17, 12; 'out of'
ἐκ τούτων 8, 4; ἐκ τῆς φυλῆς ἐκάστης 8,
12 &c.; πρώτος ἦρξεν ἐξ αὐτῶν 26, 16;
ἐκ καταλόγων 26, 8. (2) origin, ἐκ τῆς
γαμετῆς 17, 10. *ἐκ (= ὑπὸ) τῶν ἄλλων*
ὁμολογεῖται 5, 13. (3) inference, ἐκ τῶν
νῦν γιγνομένων, ἐκ τῆς ἄλλης πολιτείας,
θεωρεῖν 9, 13. (4) time, ἐξ ἀρχῆς
(= ἐν ἀρχῇ) 16, 1; 28, 5; 41, 7; 55, 3;
ἐξ ὑπαρχῆς, *denovo*, 4, 16 (*Pol.* 1293 a 2,
initio); ἐξ οὗ 60, 12; ἐκ Παναθηναίων
eis II. 43, 4

ἐκαστος—ἐκαστον 11, 6. ἐκάστη—τῶν
φυλῶν 8, 2.

The art. generally added, but some-
times omitted:—ἐκάστη τῇ ἡμέρᾳ 43,
15; τῆς ἡμέρας ἐκάστης 62, 15. τῆς
πρυτανείας ἐκάστης 43, 14; κατὰ τὴν
πρ. ἐκάστην 61, 11; κατὰ πρ. ἐκάστην
47, 18. ἐκ τῆς φυλῆς ἐκάστης 8, 12;
29, 37; 44, 8; 53, 1; τῆς φ. ἐκάστης
48, 17; col. 32, 20; ἀπὸ <τῆς> φ.
ἐκάστης 43, 6; ἀφ' ἐκάστης τῆς φ. 61,
2; ἕνα τῆς φυλῆς ἐκάστης 42, 18; 48,
15; 56, 25; 60, 3; 61, 17; ἐξ ἐκάστης
τῆς φ. 22, 9; ἐξ ἐκάστης <τῆς> φ. 55,
5; ἐκατὸν ἐξ ἐκάστης φ. 8, 19. ἐκάστη
τῇ φυλῇ 58, 7; τῇ φ. ἐκάστη 63, 3, 4,
5. καθ' ἐκάστην τὴν φ. col. 31, 2

Art. without ἐκαστος: δύο ὁβολοὺς
ἐκάστῳ τῆς ἡμέρας 49, 28 (*law*); τρεῖς
ὁβολοὺς ἐκαστον τῆς ἡμέρας 29, 32;
δραχμὴν τῆς ἡμέρας 62, 12. ἀπαξ ἐν
τῷ ἐνιαυτῷ 44, 14. eis ἐκ τῆς φυλῆς
47, 3, 8; ἕνα τῆς φυλῆς 61, 23.

Pl. 7, 14; 13, 25; 21, 24 &c.

ἐκάτερος *passim*. ἐκατέρου βίον 17, 8;
ἐφ' οἷς ἐκότεροι τυγχάνουσιν ἔχοντες 32,
15; ἐφ' οἷς ἔχουσιν ἐκότεροι 34, 8

ἐκατέρωθι 54, 35

*Ἐκατομβαιῶν 62, 13

ἐκατὸν ἀρχηγῶν 21, 25; ἐξ ἐκάστης
φυλῆς 8, 19 (*cf.* 21, 8); ἄνδρας, τοὺς
ἀναγράφοντας τὴν πολιτείαν 30, 3, 17;
31, 21; 32, 1. ἔτη 7, 7. μῶν 4, 9;
τάλαντα 22, 30; (δραχμαῖς) 10, 6

ἐκβάλλω—ἐξέβαλον (*Πεισιστρατῶν*) 14, 19;
πολλοὺς—ἐκβεβλήκεναι 19, 3; ἐκ τῶν
τάφων ἐξεβλήθησαν 1, 2

ἐκβολή—τῶν τυράνων 20, 18

*ἐκδιατᾶν, διαίτας 53, 29

ἐκδικῶς 12, 36 (*Solon*)

ἐκέῖ 55, 34; *par.* 19, 6

ἐκεῖθεν 15, 6

ἐκεῖνος 15, 20; 16, 40 &c.

ἐκέῖσε 19, 6

*ἐκθύματα (?) 54, 24

*ἐκκρηῖσαι 61, 15

ἐκκλησία, under *Dracon*, 4, 18; under
Solon, 7, 15. ἐκκλησίαι, *esp.* 43, 16 f.
ἐ. κυρία 43, 17; 62, 7. ἐλθὼν eis τὴν

ἐ. 35, 11. ἐ. ἐν τῷ θεάτρῳ 42, 30.
(ἀρχαιρεσίαι) ἐν τῇ ἐ. 44, 17. μισθο-
φόρον ἐκκλησίαν—ἀπέγνυσαν ποιεῖν,
and οὐ συλλεγομένων eis τὴν ἐ. 41, 30;
μισθοφοροῦσι—ταῖς ἐκκλησίαις 62, 6

ἐκκλησιάζειν 15, 17

ἐκκομσάμενοι, τὰ ἐαυτῶν 19, 36

ἐκλείπει τὴν σὺνδοκον, εἰ δέ τις τῶν βουλευ-
τῶν 4, 18

*ἐκμαρτυρῶν (?) 7, 25

ἐκπέμψω—*Κλεομένην ἐξέπεμψαν* 19, 29;
ὅταν ἡλικίαν ἐκπέμψωσι 53, 36; τοὺς
ἄλλους πρὸς τὰ παρόντα πράγματα ἐκ-
πέμπουσιν 61, 10

ἐκπίπτω (τῇς ἀρχῆς): ἐξέπεσε 15, 2; 19,
6; δτ' ἐκπέσοι 16, 35; ἐκπεσόντα 17,
17. ὡς ἐξέπεσον (ἐκ τῆς πῦλως) οἱ περὶ
τὸν Ἰσαγόραν 28, 9

*ἐκπολιορκῶ—ἐξεπολιορκήθησαν ὑπὸ τῶν
τυράνων 19, 13

ἐκρουν ἔχοντας, ὅχετους μετεώρους eis τὴν
ὁδὸν 50, 12

*ἐκτήμοροι, πελάται καὶ 2, 5

ἐκτίνω—ἐάν—ἐκτελῇ τις 54, 11: ἔως ἂν
ἐκτελῇ 63, 16 ([*Ar.*] *Rhet. ad Alex.*
1444 b 2)

ἐκτίσεις 8, 23

ἐκτός 22, 41 (ἐντός *par.*)

ἐκτω ἔτει 14, 19; 26, 14

ἐκφανεῖν 12, 19 (*Solon*)

ἐκφέρειν, δόξειεν αὐτοῖς 36, 14; ἀνέγρα-
ψαν καὶ ἐξήνεγκαν 30, 4

ἐκῶν 27, 10

ἐλαίαν μορίαν 60, 11

ἐλαιον 60, 7 bis, 14, 23

ἐλαττον 4, 8; οὐκ ἐλάττω μοῖραν 19, 24

ἐλαύνειν τὸν ἄγος 20, 7. ἡλάσατε 5, 16
(*Solon*)

*ἐλεγείαν, ποιήσαντι τὴν 5, 6; *cf.* 5, 20

ἐλευθερός 42, 7; ἂν τις τὸν ἐλευθέρων κακῶς
λέγῃ 59, 14. οὐσίαν—ἐλευθέραν 4, 6, 9

ἐλευθεροῦν τὰς Ἀθήνας 19, 22; τὸν δῆμον
ἡλευθέρωσε 6, 2; ἐλευθερωθέντων διὰ
τὴν σεισάχθειαν 12, 27

*Ἐλευσίς 39, 3. Ἐλευσίην 39, 10, 17; 40,

26. Ἐλευσινὸθεν, Ἐλευσινάδε, 39, 6 f.

Ἐλευσίνια, πεντητηρίς, 54, 31. Ἐλευσι-
νίων 39, 13

ἐλκει—πινάκιον col. 31, 9; βάλανον col.
31, 26

ἐλλείπω—κᾶν τις ἐλλίπῃ καταβολὴν—ἀνάγ-
κῃ τὸ ἐλλειφθὲν καταβάλλειν 48, 5 f

*Ἐλλῆνες 23, 11

*Ἐλληνοταμίαι 30, 9(?) and 13 (*decree*)

ἐλπιδ'—ἀφέναι 12, 17 (*Solon*)

ἐμβάλλει (τὴν ψῆφον) col. 36, 20; eis ἐνέ-
βαλλε τὴν ψῆφον 55, 24. (b) ἐμβάλλω—
τὸ πινάκιον col. 31, 29; ἐμβάλλωσι—
τὰ πινάκια eis τὸ κιβώτιον col. 31, 4;
ἐμβάλλεται—τὰ πινάκια 63, 5. (c) βά-
λανοι eis τὴν ὑδρίαν ἐμβάλλονται 63, 8.
(d) ἐμβάλλῃ τοὺς κύβους col. 31, 17; ἐμ-
βάλλονται λευκοὶ (κύβοι) ib. 21. (e) ἐμ-

- βαλόντες τὰς μαρτυρίας—eis ἐχίνους 53, 10; μαρτυρίας—eis τοὺς ἐχίνους ἐμβλημέναις 53, 18. *Mid.* εὐθυνα—ἐμβαλλέσθαι 48, 20. *Int.* eis τὴν ἀγορὰν—ἐμβαλεῖν αὐτῷ 57, 28
- *ἐμβιβάζω ἐνεβίβασεν 23, 7
ἐμμένειν, τοῖς ὅρκοις 40, 13; κἂν—ἐμμένειν (τοῖς γνωσθεῖσι) 53, 8
- *ἐμμηνοὶ δίκαι 52, 11—20
ἐμπήγνυσαι τὰ πινάκια col. 31, 11; ἐμπήγνυνον
- *ἐμπήκτης col. 31, 11, 24
ἐμπορίαν, κατ' 11, 4
ἐμπορικάς, δίκας 59, 14
ἐμπορίου ἐπιμελητάς—τῶν ἐμπορίων ἐπιμελείσθαι 51, 15, 16
- ἐμποροὶ 51, 17
ἐμφανῶν κατὰστασιν, eis 56, 38
ἐμφρων 18, 3
- ἐν *passim*. (1) of place, ἐν τῇ στοᾷ 7, 3; ἐν ὅπλοις ('under arms'), 31, 11 (decree); of trial before a court, ἐν τοῖς (ἐν Πειραιεῖ) 29, 23 (decree); with vb. of motion, τοὺς μύδρους ἐν τῷ πελάγει καθέισαν 23, 24. (2) of circumstances &c., ἐν τούτοις ὡν 19, 6; adverbial use, ἐν κόσμῳ 28, 18. (3) of time, ἐν ᾧ 15, 20; ἐν ('within') πέντε ἔτεσιν 47, 23.—ἐνὶ φρεσὶ 4, 15 (Solon)
- *ἐναγῶν, εἶναι τῶν 20
- *ἐναγίσματα 58, 4
- ἐναντίον τι, c. *dat.* 37, 10; ἐναντιώτατα 36, 10
- ἐναντίον τῇς βουλῆς 47, 6, 10, 14; 48, 3; and (in decree) 30, 28
- ἐναντιωθέντες 36, 4; ἀμφοτέροις ἡναντιώθη 11, 13
- ἐνδείκνυται 63, 13; ἐνεδείχθη 63, 17 (not in Ar. in technical sense)
- *ἐνδείξω—καὶ ἀπαγωγῇ 29, 26 (decree); *pl.* 52, 8, 9
- ἐνδεκα, οἱ 7, 13; 29, 27; *esp.* 52, 1—10. τοῦ δεσποτηρίου φύλακας ἐνδεκα 35, 6
- *ἐνδεκάτω—ἔτει 15, 8; ἐνδεκάτῃ 41, 5
- ἐνδέχεται 17, 7
- ἐνδημοὶ, ἀρχαὶ 24, 16
- ἐνδοθεν 5, 7 (Solon)
- ἐνδοξότατος 54, 16
- ἐνδύνω θώρακα ἐνδεδυκὸς 55, 32
- ἐνεκα, τῆς ἀρχῆς 55, 32; γῆρους <ἐνεκα> 35, 16
- ἐνῆ(?) col. 31, 33
- ἐνιαύσιος (ἀρχή) 3, 22 (ἀρχαὶ ἐνιαύσιαι *Pol.* 1299 a 7)
- ἐνιαυτός τρίς τοῦ ἐν. 47, 19; ἐν—ἐνιαυτῷ 53, 31; τὸν ἐν. 13, 10; τὸν πρῶτον ἐν. 42, 29; eis ἐν. 47, 16; ἐπ' ἐνιαυτὸν 8, 10; κατ' ἐνιαυτὸν 3, 20; 30, 4
- ἐνιαὶ 3, 10; 7, 18; 8, 27; 13, 15; 18, 32. ἐνια 27, 4
- ἐνίστη 43, 30
- ἐνίστημι ἐνέστη φίλια 17, 15; πόλεμος 27, 9. τὴν ἐνεστήσαν φιλονικίαν 5, 11;
- ἐχθρας ἐνεστήσας 5, 22; τοῦ χειμῶνος ἐνεστήσας 37, 1. ἐνεστήσαντο τὴν—πολιτείαν 41, 2
- ἐννέα ἀρχοντες, οἱ, see ἀρχοντες
- ἐνοις, τοὺς ἱπάρχους τοὺς 4, 11 (cf. *Pol.* 1322 a 11)
- ἐνοχλῶ ἠνώχλων 11, 2
- ἐνοχος γραφῇ παρανόμων 45, 24
- ἐνοσημαίνομαι ἐνεσημαίνετο πικρῶς 18, 10
- ἐνταῦθα 3, 26; 48, 5; 54, 30 &c.
- ἐντεύθεν 55, 33
- ἐντὸς χιλίων 53, 15; τριῶν μνῶν 49, 26; τριῶν ἡμερῶν 48, 18; δέκα σταδίων 50, 9
- ἐντυγχάνοντα, φιλανθρώπως, c. *dat.* 18, 17
- Ἐνυάλιος 58, 2
- ἐξ, see ἐκ
- ἐξάγω στρατιάν 37, 3
- ἐξαιρῇ (or ἐξέλῃ) τοὺς κύβους col. 31, 23. ἐξείλεν 12, 64 (Solon)
- ἐξαίρων ἐξαράμενος (an exceptional use) τὰ ὅπλα πρὸ τῶν θυρῶν 14, 13
- *ἐξαλείφουσι, τοὺς ἐξομνύμενους τῶν—ἐγ-γεγραμμένων 49, 13; ἐξήλειψον, opp. ἀντενέγραφον 36, 15. *Met.* τὰς περὶ τῶν προτέρων αἰτίας ἐξήλειψαν 40, 19
- ἐξαπατηθέντος τοῦ δήμου 34, 6; ἐξαπατηθέντες ὑπὸ Κλεοφώντος 34, 10; καὶ ἐξαπατηθῇ τὸ πλῆθος 28, 24
- *ἐξαπορῶ ἐξαπορησάμενοι τοῖς πράγμασι 23, 5
- *ἐξάρχους col. 34, 34
- ἐξέλσας *abs.* 22, 17; ἐξηλάθη—τῆς ἀρχῆς 13, 7
- ἐξελέγχεται col. 31, 7; ἵνα μὴ—ἐξελέγχωσι τοὺς νεοπολίτας 21, 17; κἂν—κλέπτουσα ἐξελεγχέσων 54, 7
- ἐξεργαζομένης τῆς χώρας 16, 12; ἐξεργασμένα 46, 5
- ἐξέρχομαι ἐξῆε πολλὰς eis τὴν χώραν 16, 14. (Of troops) τῶν ἐξόντων 26, 10; ἀν ἐξίωσιν 61, 4; cf. ἐξοδος
- ἔξεστι 44, 15; 45, 14, 22; 53, 17; 62, 18; 63, 11, 13. ἐξῆν 4, 21; 27, 15. ἐξῆ 27, 17; col. 31, 33(?). ἐξὼν 6, 14; 11, 13. ἐξείνα 9, 4; 29, 14, 29; 39, 6, 16, 21 (decree)
- ἐξετάζειν τὰ γένη 21, 6; ἐξετάζει—τὰ αἰ-κοδομήματα 46, 8
- ἐξέτασις ἐν ὅπλοις 31, 11 (decree)
- ἐξευρών, γυναῖκα μεγάλῃν καὶ καλὴν 14, 25
- *ἐξηγεῖσθαι, τοὺς νόμους 11, 6
- ἐξήκοντα 10, 8
- ἐξοδος 16, 6
- ἐξοικεῖν ἔχειν Ἐλευσίνα 39, 3 (decree); ἐξ. τοὺς ἰθελοντας 39, 25 (*ib.*); τοῖς βουλομένοις ἐξ. 39, 14 (*ib.*); ἐπινοούτων ἐξ. 40, 3
- *ἐξοίκησις 39, 15 (decree); 40, 26
- *ἐξόμνυμι τοὺς ἐξομνύμενους—μὴ δυνατοὺς εἶναι—ἱππεύειν 49, 13; ἐξομῶσθαι 49, 15; μὴ ἐξομνύμενον 49, 16. ἐξόμνυται τὰς μαρτυρίας 55, 30. (ἐξόμνυσθαι τὴν ἀρχὴν *Pol.* 1297 a 20)

* ἐξοπλισία 15, 16 (ἐξοπλίσαι *Probl.* 922 b 14)

ἐξορύξεν, ἐλάλαν μοῖραν 60, 11 (ἐξορυσόμενοι τόποι, [Ar.] *de Admir.* 833 b 4)

ἐξουσία 6, 19; 41, 4, 24

ἔξω—τῆς πολιτείας 37, 12

ἔξωθεν, τῶν 36, 16

ἐορτῶν ἐπιμελείται 56, 29

ἐπαγγελιάμενος ὡς ἄλλοις μνηστῶν 18, 34

ἐπαινουμένων, τῶν 16, 30; διὰ τὴν εὐνοίαν —ἐπηρεήσαν 38, 28

* ἐπᾶν 42, 14; 56, 4

ἐπάναγκες ἐπιψηφίσειν 29, 21 (decree);

ἐγγράφειν 42, 11

ἐπαναφέροντες τοὺς πεντακισχιλίους, οὐδὲν 33, 12

* ἐπαναχωρήσαντες 38, 3

ἐπανίστημι* ἐπαναστὰς τῷ δήμῳ 14, 6.

ἐὰν τις τυραννεῖν ἐπανιστῶνται 16, 43. (Used in literal sense in Ar.)

ἐπανορθοῦντες—τὴν πολιτείαν 35, 12 (ἐπανορθῶσαι πολιτείαν *Pol.* 1289 a 3)

ἐπεὶ 3, 28; 14, 12; 15, 23; 19, 4, 30; 24, 17 &c.

* ἐπειδὴν 7, 29 &c.

ἐπειδὴ 11, 1; 62, 3

ἐπεστίν, τὸ αὐτὸ γράμμα col. 31, 13

** ἐπισκαλεῖν, and ** ἐπεισκλητός, 30, 22 f (decree)

ἐπειτα 6, 7. Often after πρῶτον μὲν (*g. v.*), but never followed by δέ. Cf. *εἴτα*.

ἐπελαυνεῖ (?) 5, 9

ἐπερωτῶν, ἐπερωτᾷ 55, 13, 20

ἐπὶ: *passim*. (1) *c. gen.* (a) of place &c., ἐπὶ τοῦ βήματος 28, 17; ἐφ' ὁματος 14, 29; ἐφ' οὗ 55, 28. ἐπὶ τῶν ἰδίων εἶναι 15, 25.

(b) 'in the case of', ἐπὶ τῶν ἄλλων 35, 17. (c) 'over', [ἐπὶ τῶν] ναυκρατῶν 8, 14. (d) of time, ἐπὶ τῆς

ἑκτῆς πρυτανείας 43, 22; cf. 44, 15; 47, 21, 25, 28. ἐπὶ τῆς ὑστερον βουλῆς 46, 6; ἐπὶ Μέδοντος—Ἀκίστου 3, 9 f; Δράκοντος 41, 11; Σόλωνος 3, 30; 41, 12; Πεισιστράτου 41, 13; τῶν τετρακοσίων

29, 5. ἐπ' Ἀντιδότου (*sc.* Ἀρχοντος) 26, 21; ἐφ' οὗ Ἀρχοντος 17, 8. ἐπὶ (τοῦ δέινο)ς Ἀρχοντος (20 times) 4, 2; 14, 8, 20;

17, 2; 19, 37; 21, 3; 22, 6; 22, 11, 21; 23, 22; 25, 8; 26, 19; 27, 8; 33, 2; 34, 14; 35, 1; 40, 1; 41, 3; 54, 33; ἐπὶ omitted only twice:—Νικομήδους (?) Ἀρχοντος 22, 29, and Ἀρχοντος Τψιχίδου 22, 40. ἐφ' ὧν ('under the authority of') 38, 19.

(2) *c. dat.* (a) of place, 'upon', ἐφ' ᾧ 7, 21; 'at', or 'near', ἐπὶ Παλληνίδι 15, 13; 17, 16; ἐπὶ Ἀργαίῳ 57, 5; ἐπὶ Παλλαδίῳ 57, 18. (b) condition, ἐφ' οἷς 23, 24; 32, 15; 34, 8; ἐπὶ τούτοις 1, 3 (?) 23, 36; ἐπὶ τῇ σωτηρίᾳ 19, 35; ἐφ' ᾧ τε 14, 22; 34, 17. (c) ground or reason, ἐπὶ τοῖς ἄλλοις ἐδυσχεράουν

2, 12; χαλεπῶς φερόντων ἐπὶ τούτοις 38, 8; χαλεπῶς ἐνεγκόντες ἐπὶ τῇ συμφορᾷ 33, 5; ἀγανακτῶν ἐπὶ τοῖς γιγνομένοις 36, 2; ἐφ' οἷς ἔχαυρον ἡ πόλις 35, 20; ἐφ' ᾧ 63, 17. (d) object, ἐπὶ καταλύσει τοῦ δήμου 8, 25;—τῆς πολιτείας 25, 15; ἐφ' οἷς 38, 6; 'for', ἐφ' ἑκάστη τῶν ἀρχῶν. (e) 'in the power of', ἐπὶ τοῖς δικασταῖς 55, 26. (f) 'on the security of', ἐπὶ τοῖς σώμασι 2, 8; 4, 33; 6, 2; 9, 3

(3) *c. acc.* 'upon', ἐπὶ τὸν βωμόν 25, 9. 'over', ἐπὶ πάντας 42, 19; τὸ θεωρικόν 43, 2; 47, 10; τὰ ἐκθύματα 54, 24; τοὺς ὀπλίτας, τὴν χώραν, κτλ 61, 4—8; τὰς ναὺς 46, 4. 'for', ἐπὶ τὸ νομοφυλακεῖν 8, 20; τὴν ἀπόστασιν 23, 18; τὴν τοῦ πολέμου κατάλυσιν 38, 5. 'to', ἐπὶ πέρας 38, 24; τὴν ναυτικὴν δύναμιν 27, 5; ἕκαστον τὸ δικαστήριον 63, 23. 'throughout', ἐπ' ἐνι-αυτὸν 8, 10; ἐπὶ τέτταρα 13, 3;—τρία 22, 25

ἐπιβάλλειν 56, 42; ἐπιβολὴν 61, 15; *sc.* ζημίαν 56, 42; τροχόν 49, 4

* ἐπιβολή 61, 15

ἐπιγράφει, τοῖς θεσμοθέταις 48, 25. ἐπιγράφοντο (τοῖς ἐκφύβῳ) 53, 23. ἐπιγράφεται 7, 21; col. 31, 3. πυνᾶκιον ἐπιγεγραμμένον τὸ ὄνομα 63, 18; ἐπιγεγραμμένον τὸ γράμμα col. 31, 6; τὸ στοιχείον col. 31, 31. 'allege', πρόφασιν 8, 24. 'paint on', τοῖς δικαστηρίοις χρώματα ἐπιγράφεται col. 32, 9

ἐπιδείξωσιν, τινα δῶρα λαβόντα 54, 8 ἐπιδημῶ 39, 14, 16 (decree)

* ἐπιδιανέμω ἐπιδιενεμήθησαν 10, 8 ἐπιδίδωμι* ἐπέδοσαν πρὸς *c. acc.*, 37, 16

* ἐπιδικασίαι, κλήρων καὶ ἐπικλήρων 56, 39

ἐπικλείς, οἱ 28, 5; τοῖς ἐπ. 36, 9; παρὰ τοῖς ἐπ. 28, 4; τῶν ἐπ. (opp. τῶν τυχόντων) ἀνθρώπων 27, 24. τοὺς ἐπ. καὶ τοῦ δήμου καὶ τῶν εὐπόρων 26, 11. τοὺς ἐπικεστέρους 26, 4

Ἐπιζήλιος 29, 7

** ἐπιζημύσεις 45, 9 (law)

ἐπιθετον 3, 17 f; 25, 9 (not found elsewhere in same sense)

* ἐπίθημα col. 36, 8

ἐπιθυμῶσι 16, 10; ἐπιθεδύμουν 34, 21

ἐπικαλούμενος, ὁ βασιλεὺς 41, 34. ἐπικαλεσάμενος *c. acc.* 20, 6

ἐπικατέστη 3, 6 (τὴν τῶν ἐφόρων ἀρχὴν ἐπικαταστήσας *Pol.* 1313 a 27)

ἐπικηρυκευσάμενος, πρὸς *c. acc.*, 14, 21. ἐπικηρύττειν ἀργύριον (ἐπιτίμιον) [Ar.] *Oec.* ii 1351 b 31

ἐπικλήρος 9, 8; 42, 35; 43, 21; 56, 33, 39; 40, 44

* ἐπικληροῦσιν (τὰς διαίτας) 53, 28; τὰ δικαστήρια 59, 15; ἐπικληρώσῃ τὰ γράμματα 63, 22; τούτοις ἐπικλήρουν 8, 3

- ἐπικρατῶ· ἐπεκράτουν τῷ πολέμῳ 38, 17
(ἐπικρατοῦσιν οἱ δῆμοι τῶν εὐπόρων *Pol.*
1321 a 19)
- *ἐπικυρωθέντων τούτων ὑπὸ τοῦ πλήθους
32, 2; ἐπ. τῶν νόμων 37, 12
- *ἐπικύρωσιν—χειροτονίας 41, 32
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ἐπιλείπεσθαι, οὐδενὸς τῶν πολιτῶν 34, 22.
ἐπιλείπομένους τῇ δυνάμει 20, 5; τῇ οὐσίᾳ
27, 18 (*act. in Ar.*)
ἐπιλήθου 20, 22 (*scolium*)
- *ἐπίλοιπος 33, 3
- Ἐπιλυκος 3, 29; Ἐπιλύκειον 3, 28, 30
ἐπιμέλεια 21, 20; 26, 2; 38, 29
ἐπιμεληταί (under the 400) 30, 10 (*decree*);
Διονυσίων 56, 23; ἐμπορίου 51, 15; μυσ-
τηρίων 57, 2, 7; κρηνῶν ἐπιμελητῆς
43, 3
- ἐπιμελοῦμαι (1) *c. gen.* 15, 25; 16, 10; 39,
5; 42, 17, 28; 44, 11; 46, 1; 51, 3,
16; 52, 1; 56, 21, 26, 29, 39; 57, 1, 2;
61, 7, 25. (2) followed by *πως c. fut.*
50, 10; 51, 10—12. (3) *Abs.* 39, 5
(*decree*)
- ἐπιμολῶς 27, 23
- Ἐπιμενίδης ὁ Κρής 1, 3. Βουζύγης *frag.*
10
- ἐπινοούντων ἐξοικεῖν 40, 2 (the *Index Ar.*
quotes *περὶ κόσμου* only)
- ἐπισκευάζειν, τὰς ὁδοὺς 54, 2; τὰ μάλιστα
δεόμενα τῶν ἱερῶν 50, 3
- *ἐπισκευασταί, ἱερῶν 50, 2
- *ἐπισκῆπτωνται—ταῖς μαρτυρίαις *col.* 36,
11: ἐπισκῆψασθαι *ib.* 13 (πρώτος ἐποίησε
τὴν ἐπισκῆψιν *Pol.* 1274 b 7)
- *ἐπισκοπος τῆς πολιτείας 8, 20
ἐπισκοπῶν 16, 14
- *ἐπιστατῆ 44, 2; ἐπιστατούσης 41, 16;
ἐπεσάττει 18, 3; ἐπιστατῆσαι 44, 13
(only found in *Rhet. ad Alex.* 1422 b 17,
and that in another sense)
- ἐπιστάτης τῶν πρυτάνεων 44, 1; τῶν προέ-
δρων 44, 9
- *ἐπιστατική, γραφή 59, 7 (in this sense,
here only)
- *ἐπιστέλλω· ἐπ[ε]στέλλον conj. 38, 7
(only in *Rhet. ad Alex.* 1420 a 6 ἐπέ-
στειλᾷς μοι)
- ἐπιστολάς φέροντες, οἱ τὰς 43, 32
- *ἐπιστόλιον 47, 33
- *ἐπιτάφιος, ἀγών 58, 2
- ἐπιτελῶ· ἐπετέλεσεν (πολιτεῖαν) 41, 17;
τὸν ἄλλον λόγον 15, 23
- ἐπιτήδεος 8, 10; 42, 17; 49, 6, 17; 59,
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- ἐπιτίθημι· ἐπιθήσκει (= προσθήσκει) πρὸς
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τυράννοις 20, 20; τῇ βουλῇ 25, 6
- *ἐπιτίμους καὶ κυρίους καὶ αὐτοκράτορας
ἐαυτῶν 39, 3 (*decree*)
- ἐπιτιμῶ· τὰ μὲν ἐπιτιμῶντες 11, 2. *c. dat.*
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- ἐπιτρέπω· τὴν πολιτεῖαν ἐπέτρεψαν (Σό-
λωνι) 5, 5; ἐπιτρέψαι—τοῖς δυνατωτά-
τοις 39, 33 (*decree*); οὐ φάσκων ἐπιτρέ-
ψαι 34, 12
- *ἐπιτροπῆς κατάστασιν, εἰς 56, 37; εἰς ἐπ.
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- ἐπιτροποι 56, 32 f, 35, 38, 45
- ἐπιφανεῖς 18, 24; 28, 14
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- ἐπιχειρῶ· ἐπexείρει 15, 10, 17; ἐπexεί-
ρησε 19, 5
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cree*); τὸν ἐπιψηφιοῦντα 30, 27 *decree*;
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- ἐπιτο, ἐπται, 12, 11, 13 (*Solon*)
- ἐπονομάσας 21, 14 (ἐπονομάσαι *Ar. ap.*
Strab. 445; *Rose, Frag.* 6013)
- ἐπορεξάμενος 12, 5 (*Solon*)
- ἐπος· ὡς ἐπος εἰπεῖν 49, 31; 57, 8
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- *ἐραγκαὶ δίκαι 52, 15
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*ἱμβρον, ἀρχαί εἰς 62, 16

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*ἱππαρχος εἰς Ἀθῶν 61, 25. ἱππαρχον

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1322 b 3)

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*ἱστοτέλεσι, δίκαι τοῖς 58, 5

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1259 b 36; 1332 b 23)

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κ. τοὺς πεπτακοσιμεδίμους 7, 26. τὰ

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mendment) 29, 16

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An. 591 a 8; cf. *ib.* 568 a 17, 573 a 30,

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χ. καθίστη 56, 9; λοχαγοὺς καθίστη 61,

18; καθίστη τὴν δημοκρατίαν 29, 18

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δημάρχους 21, 19; οὐ κατέστησαν ἀρ-

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15; κατέστησαν 26, 20; 35, 1; καταστή

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3. πολέμου καθεστῶτος 33, 14.

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καίπερ *c. gen. abs.* 19, 23. *c. part.* 23,

17; 25, 3 (*Pol.* 1269 b 1)

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κακά 16, 20; κακῶν 16, 21; 18, 8

* κακοπράγμων 35, 19
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κακοφραδῆς 12, 48 (Solon)
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ἐπικλήρου 56, 33; ἄκου ὀφρανικοῦ 56, 34 (σωμάτων—κακώσεις *Rhet.* 1386 a 8)

Καλλίας ἄρχων (412/1) 32, 3, 8
Καλλίας ὁ Ἀγγελῆθεν ἄρχων (406/5) 34, 3
Καλλίβιος ἀρμυστής 37, 18; 38, 13

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καλὸν ἵππον 49, 1. γυναῖκα μεγάλην καλὴν 14, 25

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τοὺς ἐληφότας ἰδ. 25. καλοῦσι 6, 4;
21, 18; 49, 15. καλεῖ τοὺς μάρτυρας 55, 19. καλεῖται 19, 16; ἐκαλεῖτο 3, 28. τὸ καλούμενον 3, 32; τὸν κ. 54, 13; καλούμενοι 55, 2; καλονόμενοι 14, 6; 54, 25. ἐκλήθη 3, 30; κληθέν 16, 18

καλῶς 16, 38; 23, 9; 28, 25; 33, 13; 34, 13; 40, 7; 43, 18; 61, 12. κάλλιστα δῆ* 40, 17

* κανφορεῖν 18, 11

* κανονίς col. 31, 13, 16

καρπός 60, 10

* καρπομένους, τὰ αὐτῶν 39, 4 (decree)

καρτερόν ἦτορ 5, 15 (Solon)

κατά· c. gen. (1) καθ' ἱερῶν ὁμόσαντες 1, 1; ὁμόσαντες καθ' ἱερῶν τελείων 29, 39.
(2) κατὰ τῶν ἐπιτρόπων 56, 33. (3) κύριοι—εἰσιν—κατὰ τῶν ὀπλιτῶν 61, 21

c. acc. (1) of place, (a) κατὰ θάλατταν, γῆν, 19, 26, 30; τὴν χώραν 16, 8; τὴν εἰσοδὸν 63, 7. (b) 'opposite', τὸν ἐπώπυμον 48, 17. (c) φυλάς 22, 21; δῆμιος 16, 14; ἐκάστην (τριτὴν) 8, 15; αὐτήν, 'by itself', or 'on its own responsibility' 8, 10. (d) κατὰ πέντε πινάκια εἰς col. 31, 21. (2) of object, ἐμπορίαν καὶ θεωρίαν 11, 4. (3) 'according to', τοὺς νόμους 16, 31; τὰ πάτρια 21, 24; πάσας (τὰς πολιτείας) 28, 37; τὰ γεγραμμένα 31, 15; σελήνην 43, 10; καθ' ὅσον ἦν δυνατός 14, 14; καθ' ὃ τι ἄν—43, 7; 59, 3;—δοκῇ 44, 17; 'in respect to', τῶν κατὰ τὴν πολιτείαν 2, 11; nearly equivalent to διὰ in κατὰ τὸ γένος ἱερωσύνη 42, 36; κατὰ αὐτὰ ταῦτα ἐνοχὸς ἐστίν—γραφῇ παρανόμων 45, 23; (of rent) ταύτην τὴν μίσθωσιν. (4) (a) of parts of time, ἐναυτὸν 30, 4 (decree); ἐκάστην τὴν ἡμέραν 27, 16; 30, 27 (decree); cf. κατὰ μικρὸν 23,

2; 25, 3. (b) of periods of time, ἐκείνους τοὺς καιροὺς 16, 40; τούτους τοὺς κ. 23, 9, 13; τοὺς κ. τούτους 26, 4; τῶν καθ' αὐτὸν 23, 15; πόλεμον 29, 1; 62, 18

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καταβάλλω (1) *lit.* καταβαλεῖ κόπρον 50, 10. (2) of payment (esp. by instalment) 47, 19, 25, 28, 33; 48, 2, 6 (τιμήν *Oec.* ii 1346 b 29, 1349 b 5)

καταβολή (of payment) 47, 20, 30, 32; 48, 5 (αἱ καταβολαὶ τῶν προσόδων *Oec.* ii 1351 a 9)

καταγιγνώσκω· κλοπῇ—καταγιγνώσκουσι 54, 7. τούτων—θάνατον κατέγνωσαν 28, 23 (cf. *Rhet.* 1380 b 13). ἄν τις οὐκ ἴδῃ καταγνῶ 45, 9; ἴδῃ καταγνῶ 54, 10. (αὐτῶν) καταγνῶ 45, 16; (τινὸς) καταγνῶ 53, 34; εἰ τοῦ καταγροῖ 60, 12. *Abs.* καταγνῶ 48, 23; καταγνῶσι 54, 9; καταγνῶτος (τοῦ δήμου) 46, 10. *Pass.* καταγνῶσθέντος τοῦ ἀγῶνι 1, 2

κατάγνυμι· ἐλάλει—κατάξειεν 60, 11

* καταγνώσεις, εἰσάγειν 45, 9 (decree); cf. 59, 13

κατάγω· κατήγαγεν—καταγούσης 14, 23 f (*Pol.* 1311 b 19)

καταδείξαντες, πρώτου 27, 25 (κατέδειξεν ἐναργῶς *Ar.* 1583 a 15 in epigram on Plato)

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κατακλῆν· κατακλῆσαντες εἰς τὰ—ὀλκῆματα 15, 21; κατακλῆσας—εἰς τὸ—τείχος 19, 31; κατακλῆσθαι—ἐν τῷ δευτέρῳ 27, 9

κατακοῦειν *abs.* 15, 18. (ἐὰν κατακοῦσιν αὐλοῦντος *Esth.* 1175 b 4; κατακοῦσθαι τὴν φωνήν *Hist. An.* 614 b 23)

* κατακυρῶ· κατεκύρωσεν—τοὺς νόμους 7, 7; τὰ τέλη—κατακυροῦσιν 47, 10, 15

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καταλέγω· μερισμὸν 48, 10; τοὺς ἱππέας 49, 8, 10; τοὺς πεντακισχιλίους 29, 37 (decree); τρισχιλίους 36, 7; τριπράρχους 61, 82. τοὺς κατελεγεμένους καλοῦσι 49, 15 (πληρωμάτων κατελεγεμένων εἰς ἐκατὸν παῖς *Oec.* ii 1353 a 19, the only authority for this sense in *Index Ar.*)

* καταλογεῖς (ἱππέων) 49, 9; (in 411) 29, 38 note

κατάλογος· τῆς στρατείας γενομένης ἐκ καταλόγου 26, 8; τοῦ κ. μετέχοντας 37, 7; τὸν κ.—ὑπερεβάλλοντο 36, 12; εἰσφέρουσι τὸν κ. εἰς τὴν βουλὴν 49, 10
κατάλοισι· τοῦ πολέμου 38, 6. τῶν τυράννων 13, 24; 41, 14; (τῶν τετρα-

κοσίω) 33, 10; 34, 2. ἐπὶ καταλύσει τοῦ δήμου συνισταμένοι 8, 25; συνισταμένους ἐπὶ τῇ κ. τῆς πολιτείας 25, 15 (κατάλοις τῆς ὀλιγαρχίας *Pol.* 1305 a 3; καταλύσεις τυραννίδων 1312 b 21)
καταλύω τὴν τυραννίδα 19, 8 (καταλύσεως τῆς τυραννίδος 20, 1; 28, 7). τὴν βουλὴν 20, 10; 25, 13; 41, 18 (κατελύθη, sc. ἡ βουλὴ, 32, 4). πᾶσας τὰς πολιτείας 28, 36; τὴν δυναστείαν 36, 6; τὸ κύρος 35, 12; τοὺς τετρακοσίους 33, 7; τοὺς τριάκοντα 38, 5; τοὺς δέκα 38, 18. κατέλυσε 28, 21.
Pass. ἡ κρίσις καταλείνεται 60, 14; *Mid.* καταλείντο τὸν πόλεμον 32, 15.
c. gen. μὴ καταλυθῶσιν τῆς ἀρχῆς 38, 10
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καταπαύειν τὴν ἐνεστῶσαν φιλονικίαν 5, 10
καταπλέοντος, τοῦ σίτου τοῦ 51, 16
καταπληγῆς 25, 18; 34, 26. καταπλήξει 38, 10
* καταρριπαίνειν 6, 18
* κατασκευασμένα τὰ ὄνματα 49, 12. (ἐχίνους) κατασημνήμενοι 53, 12
κατασιωπῶσιν 14, 12
* καταστήσαντες, τείχος 37, 9
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* κατατραυματίσας ἐαυτὸν 14, 2
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 *κναμεῖν, ἐκ τούτων 8, 4; ἐκνέμευσαν τοὺς—ἀρχοντας 22, 21
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- 16; κυρωθέντων δὲ τούτων 30, 1 (only ἐν τῇ Τεμεδίῳ πολιτείᾳ, p. 1569 a 27, frag. 593^a, ἐκύρωσε καὶ περὶ τοῦ ἰδίου παιδὸς τηρηθῆναι τὸν νόμον)
- Κυψελίδαι 17, 14
- κυεῖν 56, 42
- κυσὶν πολλαῖςιν 12, 54 (Solon)
- * κωλακρέται 7, 13
- κωλῶν ἐκώλυσεν 18, 11; 22, 32. c. inf. γενέσθαι 34, 10; θανάξιν δ, 2; κατοικοδομεῖν 50, 11; κωινῶν 37, 8; παρ-ίεται 19, 31; as in Ar. (*Index* p. 419 b 32) never followed by μή
- Κωμέας ἀρχων (560/59) 14, 8
- κωμφοῖς, χορηγοῖς 56, 9, 11 (κωμφοῖς χορηγῶν *Eit.* 1123 a 23; χορὸν κωμωδῶν ὅψε ποτε ὁ ἀρχων ἔδωκεν *Poet.* 1449 b 1)
- κωτῶλῶτα 12, 19 (Solon)
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- Pass.* γραφαὶ καὶ δίκαι λαγχάνονται πρὸς αὐτὸν 56, 29; γραφαὶ λ. πρὸς αὐτὸν 57, 9; δίκαι λ. πρὸς αὐτὸν 58, 4; λ. δίκαι 57, 12
- Λακεδαιμόνιοι 19, 7, 21; 23, 19; 29, 3; 32, 14; 34, 8; 37, 18; 38, 25; 40, 20
- Λακεδαίμων 37, 17; 38, 7, 27
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- λαμβάνει ἀποτιμήματα 56, 45; δίκην λαμβάνουσιν 42, 34; λ. δωρεάν 46, 7; εἰς σίτησιν λ. 62, 10. λαμβάνουν 25, 26; λαμβάνοντες ἀργύριον 43, 11; λ. τριά-κωτα μῶν 50, 3. τὴν θυγατέρα αὐτοῦ λήψεται 14, 23. ἔλαβεν (τὴν δεξιάν) 18, 35; προστάτην ἔλαβεν ὁ δῆμος 28, 3. λαβεῖν (ἀδελφίδα) 50, 8; λ. τὴν δεκά-την 16, 22; λ. τὴν ἐξουσίαν 41, 4; τὴν ἡγεμονίαν λ. 23, 11. λ. ἔχουσιν 18, 25. λαβὼν 22, 36; λ. τὴν ἀρχὴν 14, 16; 15, 13; δωρεάν λ. 46, 6; λ. τὴν ἐπιμέλειαν 38, 29; λ. τοὺς κορυνηφόρους 14, 5; μοι-χὼν λ. 57, 19; λαβόντες ἀσπίδα 42, 31; δῶρα λαβόντα 54, 8. δῶρα λήψεσθαι and λάβωσι 55, 32. ληφθέντων (= ἄλόν-των) 19, 34
- λαμπάδων ἀγῶνες 57, 7
- λαμπρῶς, ἐλαιοῦργει 27, 14 (χορηγεῖν λαμ-πρῶς *Eit.* 1122 b 22)
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- Λειψώνη (Ἰππομένους) Heracl. epit. l. 12
- λεῖπω· (δίκην) ἔλειπεν 16, 34 (retinet Blass, coll. Dem. 49 § 19, 59 § 60)
- Λειψόδριον 19, 12, 15
- λεῖως 12, 19 (Solon)
- Λέσβιοι 24, 7
- λευκοί, κόβοι col. 31, 19
- λευκῶ· πινάκιον λελευκωμένον 48, 20; λε-λευκωμένα γραμματεῖα 47, 16, 27; 53, 22 (only in *Phys. Aesc.* 185 b 29 ὁ ἀν-θρωπος οὐ λευκός ἐστίν ἀλλὰ λελευκωται)
- Λεωκόρειον 18, 20
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- * ληρούσι 17, 5 (Λήρος *Pol.* 1257 b 10; ληρώδης *Rhet.* 1414 b 16; *Hist. An.* 579 b 3)
- λητουργία 27, 14; 56, 16
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- λίθοι· ὁμνῶντες πρὸς τῷ λίθῳ 7, 5; βαδι-ζουσι πρὸς τὸν λίθον 55, 28
- λογιζόμενοι, οἱ τοῖς ὑπευθύνους 54, 5; τοὺς λογισμένους τοῖς ἀρχαῖς 48, 14
- λογισταὶ δέκα (τῆς βουλῆς) 48, 13. λογι-σταὶ δέκα καὶ συνήγοροι 54, 3
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- Λόγδαμος ὁ Νάξιος 15, 11, 15
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 μάχεται, πρὸς ἑκατέρω ὑπὲρ ἑκατέρω 5, 9
 Μεγακλῆς (the slayer of Cylon) Heracl. epit. l. 15
 Μεγακλῆς Ἰπποκράτους Ἄλωπεκῆθεν 22, 24
 Μεγαρέας· ἐν τῷ πρὸς Μ. πολέμῳ 14, 2; (+ περὶ Σαλαμῖνος) 17, 6
 μέγας· γυναικα μεγάλην καὶ καλὴν 14, 25.
 μέizων ('too powerful') 22, 27; μέizω 10, 4; στόλον μέizω 19, 30
 μέγιστοι καὶ πρῶτοι τῶν ἀρχῶν 3, 4; τὰ πλείστα καὶ τὰ μέγιστα 3, 35; 8, 22; πρῶτον καὶ μέγιστον 9, 3; μεγίστην εἶχεν δύναμιν 13, 11; μέγιστον πάντων ἦν 16, 29
 μέγεθος τοῦ τιμηματος 7, 14
 Μέδων (βασιλεὺς) 3, 9
 *μεθιδρυσόμενος, ἐκέισε 19, 6
 μεθίστατο 22, 27
 μεθύων 34, 11
 μέλαres, κύβοι col. 31, 19
 μέλλω c. inf. praes. 6, 6; 7, 29; 18, 11; 24, 12, 14; 45, 3; col. 36, 10
 c. inf. fut. 63, 10 and col. 31, 36
 μέλλῃ πληρωθῆσθαι (not noted either by H-L, or in *Class. Rev.* v 185 δ).

εἰς τὸ μέλλον 6, 2; εἰς τὸν μέλλοντα χρόνον 31, 1
 μέμνηται 6, 20; 12, 2
 μεμψιμορία· pl. 12, 55; (only in *de Virt.* 1251 δ 25; μεμψιμοῖρος in *Hist. An.* 608 δ 10)
 μὲν—δέ *passim*, 1, 2f; 3, 2f &c. μὲν without δέ 19, 9; 48, 23. μὲν in irregular position 48, 24; μὲν—δέ—δέ 21, 13. μὲν οὖν *passim*, 2, 10; 3, 14, 33; 4, 1; 8, 8; 9, 1, 10; 10, 1 &c.
 μὲν <τοι> 28, 35
 μένω· μένειν 44, 5; 49, 2; ἔμεινεν 16, 35; μεινάντων 38, 31; 39, 3. μεμνήθηκε διὰ βίου 3, 38
 μερίζειν κατὰ τὰς—τριτῆς 21, 10; (τὰ χορήματα) μερίζουσι ταῖς ἀρχαῖς 48, 8
 μερισμός 48, 9, 11 (*Med.* 1027 δ 20 Bz μ. ἀντιφάσεως)
 μέρος, κατὰ 55, 5; τὸ λαχὼν μέρος 30, 16 (decree); ἐν μέρει 43, 7; 56, 13; ἐν τῷ μέρει col. 37, 7. τὰ δύο μέρη 51, 17. διένειμε τὴν χώραν—τριάκοντα μέρη 21, 12; διανεύμαι τέτταρα μ. 58, 6; νενέμηται—δέκα μ. 63, 20
 μεσόγειος, ἡ 21, 14
 μέσος· Σδλων—τῇ οδοῖ καὶ τοῖς πράγμασι τῶν—μέσων 5, 12; τὴν μέσην πολιτείαν 13, 18; ψήφοι—αὐλίσκων ἔχουσιν ἐν τῷ μέσῳ col. 35, 28
 μετὰ c. gen. τῶν Ἀθηναίων 19, 33; αὐτοῦ 20, 11; ὀλίγων 20, 18; ὀπιστέρων 11, 13; τοῦτων 14, 6. μετ' ὀπλων 18, 28.
 μετὰ σπουδῆς 25, 17
 c. acc. τοὺς ἀρχαίους 28, 29; τὸν—θάνατον 19, 4; τὴν τῶν νόμων θέσιν 14, 7; τὴν κάθοδον 15, 2; τὴν τῶν τυράννων κατάλυσιν 13, 24; 21, 3; τὴν πρώτην κατάστασιν 14, 19; ταύτην τὴν κατάστασιν 22, 6; τὰ Μηδικὰ 23, 2; 25, 2; τὴν ναυμαχίαν 23, 22; τὴν νίκην 22, 11; οὐ πολὺ 6, 10; οὐ πολλὸν χρόνον 25, 24; 34, 13; ταῦτα 2, 1; 10, 3; 14, 20; 15, 1; 19, 1; 24, 1 &c; τὴν τοῦ πατρὸς τελευτήν 19, 38; τὴν τυραννίδα 22, 23
 μεταβολή 13, 15; 16, 2; 41, 5
 μεταδιδάσκει 36, 9; μετεδίδου 40, 9; μετέδωκε 40, 9; μεταδοῦναι 36, 39. Constr. τινὸς τινι
 μεταχρῆμῳ, ἐν 12, 65 (Solon)
 μετακινεῖν (τοὺς νόμους) 31, 9 (decree)
 μέταλλα 22, 29; 47, 8, 11
 *μεταλλικαὶ δίκαι 59, 14
 *μεταπέμπομαι· 3, 8; 18, 6; 20, 16; 38, 8
 μεταπίθῃ· τὰς στάσεις ἀμφοτέρας μεταθέσθαι 11, 9
 μέτεχω· ἀρχῆς 7, 29; τοῦ καταλόγου 37, 7; οὐδενός 2, 12; τῆς πόλεως 8, 30; 26, 22; τῆς πολιτείας 21, 5; 42, 2; πάντων τῶν τόπων 21, 15. μετεχόντων πολλῶν 18, 14
 μετεώρους, ὀχετοὺς 50, 12

μέτοικος 43, 25; 57, 18; 58, 11. δίκαι—
μετοίκους 58, 5, 10
μέτρος: μέτριον γενέσθαι καὶ κουνὸν 6, 14;
μέτριοι τοῖς πολιταῖς 35, 8; εὐποροῦντες
τῶν μετρίων 16, 9; ἔχειν τὰ μέτρια 27,
16. ἐν μετρίοις 5, 17 (Solon)
μετρίως 16, 3
μέτρον 7, 17, 26; πεντακόσια μέτρα 10, 4;
μέτρων καὶ σταθμῶν 10, 3
* μετρονόμοι 51, 5
μέχρι δέκα δραχμῶν 52, 18; 53, 5; εὐ-
θύνων 4, 12; Σόλωνος 2, 9; ἀρχῆς τέ-
λους 56, 7; τίνων 52, 37; τῆς νῦν (sc.
πολιτείας καταστάσεως) 41, 23 (τοῦ νῦν
usurpat. Ar.); τοῦ κ 63, 20; col. 31, 4;
τούτου 23, 1; τριῶν 43, 25
μή, μηδέ, μηδεῖς, μήτε *passim*.
μηδὲ μεθ' ἑτέρων 8, 29 (law of Solon).
μή—μηδέ 9, 7. μήτε—μήτε 11, 3; 16,
10; 39, 6 (decree); col. 35, 34. μήτε
—ἀλλά 16, 8
Μηδικά, μετὰ τὰ 23, 2; 25, 2; 41, 16
* μηδισμοῦ, κρίνεσθαι 25, 12
Μηλόβιος 29, 6
μῆν· οὐ μὴν ἀλλὰ 6, 12; 7, 20; + καὶ 2,
11. οὐ μὴν εἰκὸς ἀλλὰ 9, 12. ἡ μὴν
29, 12 (decree)
μῆν, δ'· μηνός 32, 4; μῆνα 62, 13; μῆνας
13, 7
μηνεῖν 18, 8; ἐμήνυν 18, 33; μηνύσων
18, 34
μήτηρ and μητρός πατήρ 55, 14
μικρόν 3, 14; 11, 12; 15, 17; 25, 3; 41,
10. ἐν οὕτω μικροῖς 6, 17
Μιλτιάδης 26, 5; 28, 10
μισθός (δικαστικός) col. 33, 18; col. 37,
7; cf. τρεῖς ὀβολοῦς 62, 7. μ. (ἐκκλη-
σιαστικός) 41, 29—35; 62, 6 f
μισθοφορὰ· κατεσκεύασε μισθοφορὰν τοῖς
δικασταῖς (Pericles) 27, 22; ἀνεν μισθο-
φορὰς 30, 5 (decree). μισθοφορὰν πο-
ρίζειν *Pol.* 1304 b 27
μισθοφόρα τὰ δικαστήρια, ἐποίησε 27, 11;
μηδεμίαν ἀρχὴν εἶναι μισθοφόρον 33, 9;
μισθοφόρον 33, 9; μισθοφόρον ἐκκλη-
σίαν—ἀπέγνωσαν ποιεῖν 41, 29. Cf.
Pol. 1303 b 1; *Rhet.* 1399 b 2.
μισθοφορεῖν, ἐν ταῖς στρατείαις 27, 10;
μισθοφοροῦσι δραχμὴν 62, 6; πέπνυται
μισθοφορῶν 49, 8. Cf. *Pol.* 1317 b 35
μισθοὶ τοὺς οἴκους τῶν ὀρφανῶν 56, 42;
μισθοῦσι τὰ μισθώματα 47, 8; τῷ λα-
χόντι μισθοῦσι 50, 9. *Pass.* ὅπως—μὴ
μισθωθήσονται 50, 7. *Mid.* στρατιώτας
μισθωσάμενος 15, 18; ἐμισθώσαντο τὸν
—νεῖον οἰκοδομεῖν 19, 20
* μισθώματα 47, 8
μισθώσις 47, 27; μισθώσεις τῶν τεμενῶν
47, 26. κατὰ ταύτην τὴν μισθώσιν 2,
5; τὰς μισθώσεις ἀποδοῖσεν 2, 7
μισῶ· μισεῖν 28, 24
μῶα 10, 5, 8, 9; ἐντὸς τριῶν μῶν 49, 26;
τριάκοντα μῶας 50, 3; ἑκατὸν μῶας 56, 26

Μνησιθεῖδης ἀρχων (457/6) 26, 16
* μνησικακεῖν 39, 20 (decree); 40, 11.
ἐμνησικάκησε 40, 16 (μνησικάκος *Rhet.*
1381 b 4; *Eth.* 1125 a 5)
* μοῖρα (= μέρος)· συνεβάλετο δ' οὐκ ἐλάττω
μοῖραν 19, 24
μοιχείας γραφὴ 59, 11
μοιχὸν λαβών 57, 19
μόρος c. gen. 3, 21, 38 &c. οὐ μόνον—
ἀλλὰ καὶ 40, 18 &c. ὥστ' αὐτὴν μόνην
χωρεῖν τὴν ψήφον col. 36, 9. τρισχι-
λοῖς μόνους 36, 9
* μονοχίτων 25, 18
* μοῖραι 60, 8, 9; ἐλαίαν μοῖραν 60, 11
Μουνιχία 19, 5; 38, 1, 16; 42, 21. (στρα-
τηγός) εἰς τὴν *M.* 61, 6
μουσικὴς ἀγών 57, 5; 60, 5. τοῖς τῇ
μουσικῇ νικῶσι 60, 21
μῦδροι 23, 24 (only in *de Mundo* 395 b
23 μῦδρους διαπύρους)
* μυλωθροὶ 51, 11
Μύρον 1, 1
* μύσται, ὅταν οἰκουρῶσι 56, 22
μυστήρια 39, 8; 57, 2

Νάξιος 15, 11
Νάξος 15, 15
* ναυκραρία 8, 13 f
* ναυκραρικοῦ ἀργυρίου, ἐκ τοῦ 8, 18 (de-
cree)
* ναύκραροι 8, 14, 17; 21, 20
ναυμαχία, ἡ περὶ Σαλαμῶνα 23, 5; ἐν Σαλα-
μῶνι 23, 22; 27, 7. ἡ περὶ Ἐρετρίας 33,
4. ἐν Ἀργινούσαις 34, 4. ἐν Αἰγὸς ποτα-
μοῖς 34, 15. ἠτόχησαν—ναυμαχίαν 34,
15
ναυμαχῶ· ἐναυμάχησαν—πρὸς τοὺς βαρβά-
ρους 22, 37
ναυπηγούμενον 22, 37; ἐναυπηγήσατο 22,
36 (only in *Oec.* 1349 a 25 ναυπηγεῖσθαι
τριῖναις μέλλων. ναυπηγὸς and ναυπηγία
in *Pol.*; ναυπηγική in *Eth.*)
ναῦς· ἐπ' ἀλλοτρίας νεώς 34, 6; νῆες φρου-
ρίδες 24, 18; ἄλλαι νῆες 24, 19; εἰς τὰς
ναῦς 23, 7
ναυτικὴν δύναμιν, τὴν 27, 5
νέμω· νείμαι—τοὺς ἄλλους πρὸς τὴν λῆξιν
ἐκάστην 30, 16 (decree); ἵνα νευμηθῶσιν
—εἰς τὰς τέτταρας λήξεις 31, 18 (de-
cree); ἐκ τῆς φυλῆς ἐκάστης νευεμημέναι
τριττὺς τρεῖς 8, 13; νευεμνῆται κατὰ
φυλὰς δέκα μέρη οἱ δικασταὶ 63, 20.
Mid. ἐάν τις μὴ 'θελῇ κοινὰ τὰ δὲτα
νέμεσθαι 56, 37
Νεοκλῆς 23, 14
* νεοπολίτας, τοὺς 21, 17
νεός ὢν 27, 3; τῇ νεῇ βουλῇ 46, 5. νεώτε-
ρος 19, 6; ν. ὀκτώ καὶ δέκα ἐτῶν 42, 13;
νεώτερον (?) 26, 5
* νεωρίων, φρουρῶν 24, 15
νεὸς ὁ ἐν Δελφοῖς 19, 20
* νεώσοικοι 46, 2, 4
νεωστί 3, 18

νίκη, μετὰ τὴν 22, 11. Νίκαι 47, 5
 Νίκας 28, 15, 29
 Νικόδημος (or Νικομήτης) ἀρχων (c. 483/2)
 22, 29
 νικῶν νικᾶν 12, 9 (Solon). ἐνίκησεν (τοὺς
 ἱππεῖς) 19, 31. c. acc. cogn. νικήσας
 τὴν ἐπὶ Πάλληριδι μάχην 15, 12; τὴν
 ἐν Μαραθῶνι μάχην νικήσαντων 38, 2;
 τὴν μουσικὴν νικῶσιν—τὴν εὐανδρίαν—
 τὸν γυμνικὸν ἀγῶνα καὶ τὴν ἱπποδρομίαν
 60, 20 f. c. dat. νικήσαντων μάχῃ 38,
 2; τοὺς τῇ ναυμαχίᾳ νικῶντας 34, 5.
 ὁ νικήσας (of one who gets a decree
 passed) 45, 24. (In the law-courts) ἐὰν
 δὲ νικήσῃ 42, 11; οὗτος νικᾷ col. 36, 35
 νομίζει 6, 21; νομίσαντες 18, 18
 νομῶν, εἰργεσθαι τῶν 57, 14
 νόμισμα 10, 4, 7
 νομοθεσία 10, 2
 νομοθετῶ ἐνομοθέτησεν 8, 8; νομοθετήσας
 11, 15 (both of Solon)
 νόμος 4, 23; 16, 41. ὁ μὲν νόμος ἐστίν 60,
 13. εἰσαγγελίας 8, 26; περὶ τοῦ δοτρα-
 κισμοῦ 22, 5. νόμον ἔθηκε 8, 28; 22,
 17; νόμους ἔθηκε 6, 3; 7, 1; νόμος ἐτέθη
 21, 4; 22, 13, 26. νόμον μὴ ἐπιτήδειον
 θεῖναι 59, 6. ἀναγράφαντες—νόμους 7,
 3; ἀσαφεῖς—νόμους 9, 11; μὴ γεγράφθαι
 τοὺς νόμους ἀπλῶς μὴδὲ σαφῶς 9, 7; νό-
 μους (διατηρεῖν) 3, 35; νόμους ἐξηγεῖσθαι
 11, 6; νόμων θέσις 14, 7; ἐν τοῖς νόμοις
 10, 1; κατὰ τοὺς νόμους 4, 21; τοὺς—
 νόμους τοὺς περὶ τῶν Ἀρεοπαγιτῶν 35, 10;
 ὑπὸ τῶν νόμων 51, 2; ἐχρήσαντο τῷ νόμῳ
 22, 12. νόμοι quoted, περὶ τῶν ταμῶν
 8, 6; Σόλωνος 8, 16; περὶ τῶν τυράνων
 16, 39
 * νομοφυλακεῖν, ἐπὶ τὸ 8, 20 (νομοφύλακες
 and νομοφυλακία in Pol.)
 νόον, τρέφεσθε μέγαν 5, 17 (Solon)
 νοστήσας 17, 2. Μέγ. τὰ πράγματα νοσ-
 οῦντα 6, 19; διετέλουν νοσοῦντες 13, 12
 νύκτα καὶ ἡμέραν 44, 2
 νῦν 3, 24 &c. τὸ νῦν εἶναι 31, 9 (decree).
 καὶ νῦν 3, 39; 7, 29. ἔτι καὶ νῦν 3, 25;
 7, 6; 8, 6; 22, 7. νῦν δὲ (opp. πρότε-
 ρον μὲν) 53, 24; 54, 19; 55, 11, 25;
 56, 25; 61, 2; (opp. πρότερον δὲ) 56,
 9; (opp. ποτε) 49, 20; (opp. τὸ μὲν ἐξ
 ἀρχῆς) 55, 4; νῦν δ' after impf. 51, 9

Ξάνθιππος ὁ Ἀρίφρωνος 22, 28; 28, 10
 Ξεανέτος ἀρχων (401/0) 40, 27
 ξένια γραφὴ 59, 8
 ξένος 19, 23; 20, 6; 57, 18
 Ξέρξης στρατεία 22, 40
 ξηρὰ καὶ ὑγρὰ 7, 17. 7
 ξύλινος (ἀμφορεύς) col. 36, 5, 7. ξύλινοι (?)
 κύβοι col. 31, 19
 ξυτήγαγον 12, 28 (Solon)

δ. τὰ μὲν ἐκὼν τὰ δ' ἄκων 27, 10.—τὰ
 δύο μέρη 51, 17.

Article often found in periphrastic
 phrases, οἱ περὶ Ἀνακρόντα 18, 5; οἱ
 περὶ τὸν Κλεομένην 20, 12; τῶν ἐν τῇ
 πολιτείᾳ 38, 9; τὰ περὶ τὰς ἀρχάς 3,
 33; τὰ πρὸς ἑαυτοὺς 13, 13; τὰ εἰς τὸν
 πόλεμον 23, 10; τὰ τοῦ πολέμου 30, 30
 (decree); τὰ κατὰ τὴν πολιτείαν 2, 10;
 29, 1 f.

Sometimes omitted (1) before the
 names of officials, as θεσμοθέται 3, 30;
 στρατηγούς καὶ ἱπάρχους 4, 8; cf. 30,
 7: (2) in certain set phrases, as ἐν
 ἀγορᾷ 51, 10; 52, 14; ἐν δαστεί 50, 5;
 ἐν ἀκροπόλει 18, 14; εἰς ἀκρόπολιν 55,
 33; 60, 18 (but εἰς τὴν ἀκρόπολιν 20,
 13); ἀνευ δικαστηρίου γνώσεως 45, 4;
 ἐκ καταλόγου 26, 8; ἐν μέρει 43, 7;
 κατὰ μέρος 55, 5; εἰς πόλιν 8, 24; μέχρι
 ἀρχῆς τέλους 56, 7; ἔπει δευτέρῃ 14, 7;
 15, 9 &c; καὶ αὐτὸν καὶ γένος 16, 44;
 τίς πατρός (and μητρός) πατήρ 55, 14 f.
 Similarly with ἀρχή 5, 6, 20. (The
 exx. mainly from H-L, s.v. Articulus.)
 See also ὅδε, ἕκαστος and τρόπος.

ὀβολός 41, 33; 62, 9. δύο ὀβολοὶ (τοῖς
 ἀδυνάτοις) 49, 28; δύοιν ὀβολῶν 28, 22;
 τρεῖς ὀβολοὺς 29, 32; 62, 7; τέτταρας
 42, 26; 62, 10; πέντε 62, 7; ἑνέα 62,
 7

ὅδε, article sometimes omitted in papyrus
 after, 7, 8; 29, 29; 37, 5; not omitted
 in 42, 1 τὸνδε τὸν τρόπον.—νόμος—ὅδε
 16, 42

* ὀδοποιοί 54, 1
 ὀδός 50, 11—14; 54, 2
 ὀδοῖναι 16, 21

ὅθεν (1) 'whence', (of place) 15, 7; (of
 origin &c) 6, 11 ὅθεν φασὶ γενέσθαι;
 8, 3 ὅθεν ἔτι διαμένει; 18, 12 ὅθεν
 συνέβη; 19, 20 ὅθεν εὐδόρησαν χρη-
 μάτων; 21, 5 ὅθεν ἐλέχθη τὸ φυλοκρα-
 νεῖν. (2) 'wherefore', ὅθεν καὶ 3, 8;
 17, 15; 21, 18; ὅθεν ἔτι καὶ νῦν 7, 6;
 ὅθεν ὅστερον 19, 13

οἶδα passim. οἶδεν ἀδικούντα 49, 11; μὴ
 εἰδῆ 57, 20; εἰδότες 14, 12

Οἰήθεν 27, 19
 οἰκείας, ἐκ τῆς 7, 17; τῶν οἰκείων 40, 24
 οἰκείως εἶχον 36, 5
 οἰκέτην ἀποκτείνῃ 57, 17
 οἰκήματα 15, 21

οἰκία—ἐὰν—οἰκίαν λαμβάνουσιν 39, 10; οἰ-
 κίας 20, 9; τὰ χωρία καὶ τὰς οἰκίας 52,
 6

οἰκοδομεῖν 19, 20
 οἰκοδομήματα δημόσια 46, 8
 οἰκον ὀρφανικοῦ κακώσεως 56, 34; οἰκούς
 ὀρφανῶν 56, 43

* οἰκουρῶσι μίσθαι, ὅταν 56, 22
 οἰκῶ c. acc. οἰκεῖν τὴν πόλιν 22, 19; c.
 πραγμ. τοὺς οἰκούντας ἐν ἐκάστῳ τῶν
 δήμων 21, 16; οἰκεῖν ἐν τῷ δαστεί 24,
 3 &c. ὥκησαν (?) 3, 23

- ἀνοχοεῖν 20, 23 (scol.)
 ὁλομαι' ὁλῶνται 9, 10; ὁλεσθαι 10, 6; φέτο
 11, 10
 ὁλον' 'for example', 35, 14; 57, 19. *οὐχ
 ὁλον' *parryti lectio* 40, 23
 ὁκτώ 23, 7. ὁκτωκαίδεκα ἔτη 42, 3, 13
 ὁλβος 12, 13, 18 (Solon)
 ὁλιγαρχία κατέστη 32, 7; ὁλιγαρχίας ἐπε-
 θύμουν 34, 20; ἐν ὁλιγαρχίᾳ 38, 29;
 τὴν ὁλιγαρχίαν ἐξήτουν 13, 19; χειρο-
 τονεῖν τὴν ὁλ. 34, 26; τὴν προτέραν ὁλ.
 37, 11; τὴν ἐπὶ τῶν τριάκοντα ὁλ. 53,
 4
 ὁλιγαρχική, ἡ πολιτεία 2, 2; προσθεμένου
 τοῖς ὁλιγαρχικοῖς 34, 25
 ὁλίγος· δι' ὁλίγων ἦν 2, 6; 4, 24. οἱ ὁλί-
 γοι 41, 28; τῶν πολλῶν δουλευόντων
 τοῖς ὁλίγοις 5, 2
 ὁλιγοῦν' τούτων μὲν ὥλιγοῦρησαν 36, 12
 ὁλος· τὴν ὁλην—πράξιν 18, 21; ἐκ τῆς φυ-
 λῆς ὁλης 62, 2
 ὁλος 13, 12
 ὁμολίας—προσθήγγο, ταῖς 16, 37
 ὁμιλοῦνται, πρὸς χάριν 35, 19
 ὁμνυμι· ὁμνύουσι 3, 11; 7, 6; 22, 7; 55,
 31; 55, 34. ὁμνύντες 7, 5; τοὺς ὅρκους
 ὥμοσε τοῖς ἴωσιν 23, 23; ὥμοσαν χρή-
 σασθαι 7, 4; περὶ τοῦ ὅρκου ὄντινα χρή
 ὁμόσαι γράψαι 31, 6. ὁμόσαντες 42, 4,
 15; 55, 29, 33; ἡ μὲν 29, 12 (decree);
 καθ' ἑρῶν 1, 1; καθ' ἑρῶν τελείων 29,
 39; ὁμόσωσιν 39, 15
 ὁμοίως καὶ πρότερον 26, 12; ὁμοίως—καὶ
 ἐπὶ τῶν ἄλλων 35, 17
 ὁμολογία 19, 35
 ὁμολογῶ· ὁμολογοῦσιν 28, 31; ὁμολογῇ 57,
 19; ὁμολογῶσι 52, 3; ὁμολογεῖται 28,
 31
 ὁμονοίας, ἀρχῶν τῆς 40, 23
 *ὁμοφρονήσαντες 14, 18
 ὁμόχρων τῷ δικαστηρίῳ, βακτηρίαν col. 32,
 4; δικαστήριον ὁμόχρων τῇ βακτηρίᾳ col.
 32, 11
 ὀνειδίζω 12, 55; ὀνειδίσας 18, 36; ὀνει-
 δίσαι 12, 57 (Solon)
 ὄνομα 7, 19; 14, 27; 17, 13; 48, 20; 54,
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